

**RECEIVED**USDC, WESTERN DISTRICT OF LA  
TONY R. MOORE, CLERKDATE 5 / 25 / 12UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
ALEXANDRIA DIVISIONBARRY NAVIAUX, et al.  
Plaintiffs

CASE NO.: 1:11-1599

VERSUS

JUDGE JAMES D. DRELL

UNITECH TRAINING ACADEMY, INC.  
Defendants

MAGISTRATE JUDGE JAMES D. KIRK

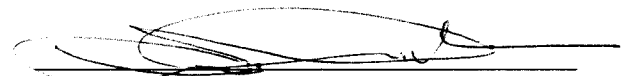
J U D G M E N T

For the reasons contained in the Report and Recommendation of the Magistrate Judge previously filed herein, noting the absence of objections thereto, and concurring with the Magistrate Judge's findings under the applicable law;

IT IS ORDERED that defendant's motion to dismiss/motion for summary judgment (Doc. 3) is DENIED.

IT IS FURTHER ORDERED that, since the court lacks subject matter jurisdiction, the Naviaux's action be REMANDED to the state court.

THUS DONE AND SIGNED at Alexandria, Louisiana on this 25<sup>th</sup> day of May, 2012.

DEE D. DRELL  
UNITED STATES DISTRICT JUDGE