

U.S. DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
RECEIVED

AUG - 6 2015

TONY R MOORE, CLERK
BY DEPUTY

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
ALEXANDRIA DIVISION

JUSTIN DALE TUREAU

DOCKET NO.: 1:13-cv-02969

VERSUS

JUDGE DEE D. DRELL

2H, INC., ET AL.

MAGISTRATE JUDGE JAMES D. KIRK

J U D G M E N T

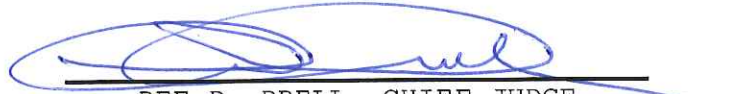
For the reasons contained in the Report and Recommendation of the Magistrate Judge previously filed herein, and after independent (*de novo*) review of the record including the objections filed herein, and having determined that the findings and recommendations are correct under the applicable law;

IT IS ORDERED that the motion for more definite statement is **DENIED**.

IT IS FURTHER ORDERED that the motion to dismiss is **GRANTED** in part and **DENIED** in part. Tureau's claims for fraud, punitive damages, continuing tort, continuing trespass, continuing nuisance, civil fruits, ultrahazardous activity, unjust enrichment and claims under Louisiana Civil Code articles 2317 and 2322, 2688, Mineral Code article 22 and Restatement (Second) of Torts §324(A) is **DISMISSED**. In all other respects, the motion to dismiss is **DENIED**.

IT IS FURTHER ORDERED that Tureau is afforded leave to amend his complaint within 20 days of the adoption of this Report and Recommendation.

THUS DONE AND SIGNED in chambers at Alexandria, Louisiana on this 16 day of August, 2015.



DEE D. DRELL, CHIEF JUDGE
UNITED STATES DISTRICT COURT