

RECEIVED
IN LAKE CHARLES, LA

JUN 23 2009

PAM
TONY R. MOORE, CLERK
WESTERN DISTRICT OF LOUISIANA

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA

LAKE CHARLES DIVISION

CODY MOREAUX AND : DOCKET NO. 09-CV-396
JUSTIN TAYLOR

VS. : JUDGE MINALDI

STATE FARM MUTUAL : MAGISTRATE JUDGE KAY
AUTOMOBILE INSURANCE
COMPANY,
COMMERCE & INDUSTRY
INSURANCE COMPANY, LAMB
FUELS, INC., WILLIAM TOARMINA,
AND RYAN THOMAS

JUDGMENT

Before the Court is a Motion to Dismiss pursuant to Federal Rule of Civil Procedure 12(b)(2) & (3) for lack of personal jurisdiction and improper venue, filed by defendants Commerce & Industry Insurance Company, Lamb Fuels, Inc., and William Toarmina (hereinafter collectively "the defendants") [doc. 3]. For the reasons stated in the accompanying Memorandum Ruling,

IT IS ORDERED that the defendants' motion to dismiss, [doc. 3], is hereby GRANTED in part and DENIED in part. IT IS FURTHER ORDERED that the motion to dismiss Mr. Toarmina and Lamb Fuels pursuant to Fed. R. Civ. P. 12(b)(2) is hereby GRANTED, and these parties are hereby DISMISSED. IT IS FURTHER ORDERED that the motion to dismiss Commerce pursuant to La. Rev. Stat. Ann. § 22:1269(B) is hereby DENIED.

Lake Charles, Louisiana, this 23 day of June, 2009.


PATRICIA MINALDI
UNITED STATES DISTRICT JUDGE