

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
LAKE CHARLES DIVISION

BACKOFF, LLC, ET AL.

CASE NO. 2:18-CV-00494

VERSUS

JUDGE ROBERT R. SUMMERHAYS

SAMOCO OIL TOOLS, INC.

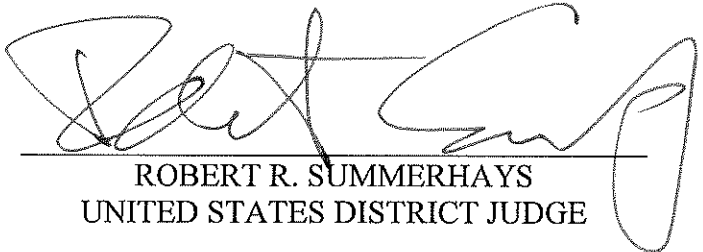
MAGISTRATE JUDGE KAY

**JUDGMENT**

This matter was referred to United States Magistrate Judge Kathleen Kay for report and recommendation. After a de novo review of the record, and consideration of objections filed, this Court concludes that the Magistrate Judge's report and recommendation [Doc. No. 27] is correct and adopts the findings and conclusions therein as its own. Accordingly,

**IT IS ORDERED, ADJUDGED, AND DECREED** that the Motion to Dismiss [Doc. No. 11], filed by Defendant Samco Oil Tools, Inc. is hereby **GRANTED**, and this suit for declaratory relief brought by Backoff, LLC and NuTec, Inc. is hereby **DISMISSED WITHOUT PREJUDICE** for lack of subject matter jurisdiction, consistent with the report and recommendation.

THUS DONE in Chambers on this 26<sup>th</sup> day of November, 2018.

  
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ROBERT R. SUMMERHAYS  
UNITED STATES DISTRICT JUDGE