

**UNITED STATES DISTRICT COURT**  
**WESTERN DISTRICT OF LOUISIANA**  
**MONROE DIVISION**

**TYSON SMITH**

**\* CIVIL ACTION NO. 11-0894**

**VERSUS**

**\* JUDGE ROBERT G. JAMES**

**HASTINGS FIBER GLASS  
PRODUCTS, INC., ET AL.**

**\* MAG. JUDGE KAREN L. HAYES**

**J U D G M E N T**

The Court having considered and found that the Magistrate Judge's Report and Recommendation is correct and that judgment as recommended therein is warranted, and for those additional reasons set forth in the Court's Ruling,

IT IS ORDERED, ADJUDGED, AND DECREED that the amended complaint-in-intervention [Doc. No. 65] filed by Newton B. Schwartz, Sr. ("Schwartz") be DISMISSED WITHOUT PREJUDICE for lack of subject matter jurisdiction.

IT IS FURTHER ORDERED that Schwartz's voluntary motion for partial dismissal [Doc. No. 75] is DENIED AS MOOT.

MONROE, LOUISIANA, this 11<sup>th</sup> day of June, 2014.

  
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ROBERT G. JAMES  
UNITED STATES DISTRICT JUDGE