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UNITED STATES DISTRICT COURT

WESTERN DISTRICT OF LOUISIANA

**MONROE DIVISION****DONNA OSBORNE MCKENZIE**

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**CIVIL ACTION NO. 11-1604****VERSUS**

\*

**JUDGE ROBERT G. JAMES****EOG RESOURCES, INC., ET AL.**

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**MAG. JUDGE KAREN L. HAYES****J U D G M E N T**

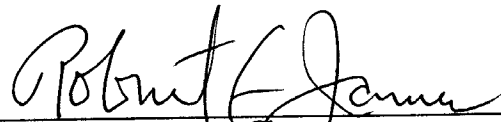
The Report and Recommendation of the Magistrate Judge having been considered, together with the written objections thereto filed with this Court, and, after a de novo review of the record, finding that the Magistrate Judge's Report and Recommendation is correct,

IT IS ORDERED that the Rule 12(b)(7) motion to dismiss for failure to join a party under Rule 19 [doc. # 33] filed by defendant, EOG Resources, Inc. is hereby DENIED.

IT IS ORDERED, instead, that the above-captioned case be, and is hereby REMANDED to the Superior Court for the County of San Bernardino, State of California, for lack of subject matter jurisdiction.

IT IS FURTHER ORDERED that the Clerk of Court certify a copy of this judgment and forward the same to the Clerk of the Superior Court for the County of San Bernardino, State of California.

THUS DONE AND SIGNED this 2nd day of May, 2012, Monroe, Louisiana.



ROBERT G. JAMES

UNITED STATES DISTRICT JUDGE