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WESTERN DISTRICT OF LOUISIANA
ALEXANDRIA, LOUISIANA

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
MONROE DIVISION

TRANSAMERICA LIFE INSURANCE CO.	*	CIVIL ACTION NO. 12-0681
VERSUS	*	JUDGE JAMES T. TRIMBLE, JR.
BETTYE A. MCKINNEY and CLESI MCKINNEY NEITZ	*	MAG. JUDGE KAREN L. HAYES
		(consolidated with)
PROTECTIVE LIFE INSURANCE CO.	*	CIVIL ACTION NO. 12-1220
VERSUS	*	
BETTYE A. MCKINNEY and CLESI MCKINNEY NEITZ	*	

J U D G M E N T

The Report and Recommendation (R. #52) of the Magistrate Judge having been considered, no objections thereto having been filed, and finding that same is supported by the law and the record in this matter,

IT IS ORDERED that the motion to dismiss for failure to state a claim upon which relief can be granted [R. # 21] filed by defendant-in-counterclaim Transamerica Life Insurance Company is **GRANTED**, and that the counterclaim filed by Clesi McKinney Neitz is hereby **DISMISSED, with prejudice**. Fed.R.Civ.P. 12(b)(6).

THUS DONE AND SIGNED in chambers, Alexandria, Louisiana, this 29th day of November, 2012.



JAMES T. TRIMBLE, JR.
UNITED STATES DISTRICT JUDGE