

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
MONROE DIVISION

UNION PACIFIC RAILROAD COMPANY CIVIL ACTION NO. 15-0074
VERSUS JUDGE ROBERT G. JAMES
TAYLOR TRUCK LINE, INC., ET AL. MAG. JUDGE KAREN L. HAYES

--(consolidated with)--

R & L BUILDERS SUPPLY, INC., ET AL. CIVIL ACTION NO. 15-2460
VERSUS JUDGE ROBERT G. JAMES
UNION PACIFIC RAILROAD COMPANY, MAG. JUDGE KAREN L. HAYES
ET AL.

J U D G M E N T

The Report and Recommendation of the Magistrate Judge having been considered, together with the written objections and responses 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, ADJUDGED, AND DECREED that the Rule 12(b) motions to dismiss [Doc. Nos. 134 & 149] filed by Robert G. Taylor Trust and Robert G. Taylor, as trustee of the Robert G. Taylor Trust, are **GRANTED IN PART AND DENIED IN PART**. Union Pacific Railroad Company, R & L Builders Supply, Inc., and R & L Properties of Oak Grove's claims against the Robert G. Taylor Trust are hereby **DISMISSED WITH PREJUDICE**, pursuant to Federal Rule of Civil Procedure 12(b)(6). Union Pacific Railroad Company, R & L Builders Supply, Inc., and R & L Properties of Oak Grove's claims against Robert G. Taylor, as trustee of the Robert G. Taylor Trust, are hereby **DISMISSED WITHOUT PREJUDICE**, pursuant to Federal Rule of Civil Procedure

12(b)(2). These motions [Doc. Nos. 134 & 149] are otherwise **DENIED**.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Rule 12(b) motions to dismiss [Doc. Nos. 143 & 145] filed by Robert G. Taylor, in his individual capacity, are **GRANTED IN PART AND DENIED IN PART**. Union Pacific Railroad Company, R & L Builders Supply, Inc., and R & L Properties of Oak Grove's claims against Robert G. Taylor, individually, are hereby **DISMISSED WITHOUT PREJUDICE**, pursuant to Federal Rule of Civil Procedure 12(b)(2). These motions [Doc. Nos. 143, & 145] are otherwise **DENIED**.

MONROE, LOUISIANA, this 28th day of December, 2016.


ROBERT G. JAMES
UNITED STATES DISTRICT JUDGE