

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
SHREVEPORT DIVISION

ELAINE WALTON

CIVIL ACTION NO. 14-cv-1122

VERSUS

JUDGE ELIZABETH ERNY FOOTE

RANDAL D. DANIEL, JR.

MAGISTRATE JUDGE HORNSBY

ORDER

For the reasons assigned in the Report and Recommendation of the Magistrate Judge previously filed herein [Record Document 24], and having thoroughly reviewed the record, including the written objections filed, and concurring with the findings of the Magistrate Judge under the applicable law;


IT IS ORDERED that the Plaintiff's Motion to Remand [Record Document 11] is **DENIED** and that summary judgment is **GRANTED** sua sponte, dismissing with prejudice all claims against Randal Daniel.

IT IS FURTHER ORDERED that the Defendants' Motion to Strike [Record Document 15] is **GRANTED** and the Amended Complaint [Record Document 9] is **STRICKEN**.

Moreover, in consideration of the Plaintiff's Motion To File a Second Supplemental and Amended Petition and for the same reasons outlined in the Magistrate Judge's Report and Recommendation [Record Document 24], the Court hereby **DENIES** the Plaintiff's motion. [Record Document 26]. As set forth in the Report and Recommendation, the Court instructs the Plaintiff that she may file a motion to amend her complaint and add OS Restaurant Services, LLC, within the time allowed by a scheduling order, if she believes that she can state a good-faith claim against that entity under the principles of respondeat superior. [Record Document 24, p. 14]. Additionally, the Court hereby **DENIES** the

Plaintiff's Motion To Unseal Defendant's "Proprietor" Contracts [Record Document 26], given the lack of relevance of this contractual material to these proceedings and this Court's jurisdiction over Randal Daniel, the confidential nature of the un-redacted sealed material, and the Magistrate Judge's previous order directing "any and all non-confidential provisions or sections of the documents" be accessible through the Court's public record. [Record Document 18].

THUS DONE AND SIGNED in Shreveport, Louisiana, this 19th day of February, 2015.


ELIZABETH ERNY FOOTE
UNITED STATES DISTRICT JUDGE