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UNITED STATES DISTRICT COURT

TONY R. MOORE, CLERK
WESTERN DISTRICT OF LOUISIANA
LAFAYETTE, LOUISIANA

WESTERN DISTRICT OF LOUISIANA

ALFRED MCZEAL, SR.

CIVIL ACTION NO. 05-1080

VS.

JUDGE DOHERTY

SOUTHERN CONSUMERS
COOP, INC., ET AL.

MAGISTRATE JUDGE HILL

JUDGMENT

No objections have been filed to the Report and Recommendation United States Magistrate Judge C. Michael Hill. The Court concludes that the Report and Recommendation of the magistrate judge is correct and therefore adopts the conclusions set forth therein. Accordingly;

IT IS ORDERED that, with respect to plaintiff's ERISA claims, the state court judgment has no preclusive effect under either the principle of res judicata (claim preclusion) or under the principle of issue preclusion (collateral estoppel).

THUS DONE AND SIGNED, in chambers, in Lafayette, Louisiana, on this

7 day of May, 2009.

Rebecca F. Doherty
REBECCA F. DOHERTY
UNITED STATES DISTRICT JUDGE