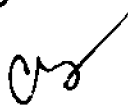


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WESTERN DISTRICT OF LOUISIANA
LAFAYETTE, LOUISIANA

UNITED STATES DISTRICT COURT

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

For the reasons stated in the Report and Recommendation of the Magistrate Judge previously filed herein, and after an independent review of the record, determining that the findings are correct under the applicable law, and considering the objections to the Report and Recommendation in the record;

IT IS ORDERED that the plaintiff's Motions for Partial Summary Judgment [rec. docs. 74 and 84] be **DENIED**.

IT IS FURTHER ORDERED that all of plaintiff's claims under ERISA for breach of fiduciary duties, his request for declaratory judgment and equitable relief under ERISA, as well as plaintiff's negligence and all other claims asserted under Louisiana state law be **DISMISSED WITH PREJUDICE**.

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

7 day of May, 2009.


REBECCA F. DOHERTY
UNITED STATES DISTRICT JUDGE