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JUN 23 2009

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WESTERN DISTRICT OF LOUISIANA  
LAFAYETTE, LOUISIANA

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
LAFAYETTE-OPELOUSAS DIVISION

ROBERT H. RHYNE, JR.  
BRENT TRAUTH

CIVIL ACTION NO. 08-CV-00594

VERSUS

JUDGE DOHERTY

OMNI ENERGY SERVICES CORP.  
RICHARD ADAM "RICK" MAGER  
COVE PARTNERS, LLC  
DENNIS R. SCIOTTO  
EDWARD E. COLSON, III  
RICHARD C. WHITE  
BARRY E. KAUFMAN  
RONALD E. GEREVAS  
BRIAN J. RECATTO  
RONALD D. MOGEL

MAGISTRATE JUDGE METHVIN

*JUDGMENT*

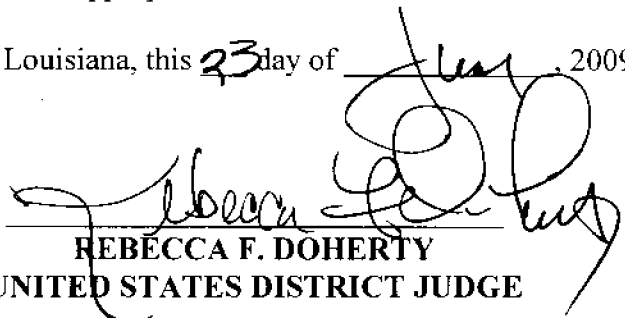
This matter was referred to United States Magistrate Judge Mildred E. Methvin for Report and Recommendation. After an independent review of the record, and noting the absence of any objections, this Court concludes that the Report and Recommendation of the Magistrate Judge is correct and adopts the findings and conclusions therein as its own.

Accordingly, **IT IS THEREFORE ORDERED, ADJUDGED AND DECREED** that the original motions to dismiss (rec. docs. 23 and 31) are **DISMISSED AS MOOT**.

**IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that defendants' superceding motions to dismiss (rec. docs. 35 and 40) are **GRANTED IN PART AND DENIED IN PART** as follows: All of plaintiffs' federal law claims are dismissed with

prejudice for failure to state a claim, and all of plaintiffs' state law claims are dismissed without prejudice to their reassertion in an appropriate state court.

Lafayette, Louisiana, this 23 day of July, 2009.

  
REBECCA F. DOHERTY  
UNITED STATES DISTRICT JUDGE