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WESTERN DISTRICT OF LOUISIANA
LAFAYETTE, LOUISIANAUNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAFAYETTE-OPELOUSAS DIVISIONTHUY HOA "TIFFANY" NGO,
ADMINISTRATRIX OF THE
ESTATE OF MAI NGUYEN
(DECEASED) AND AS GUARDIAN
OF THE PERSON AND PROPERTY
OF HER MINOR DAUGHTER,
JESSICA NGUYEN

CIVIL ACTION NO. 08-00758

VERSUS

JUDGE DOHERTY

BACH VAN HA THI, PHAN NGUYEN,
IN PERSONAM, AND F/V BAO NGOC,
IN REM

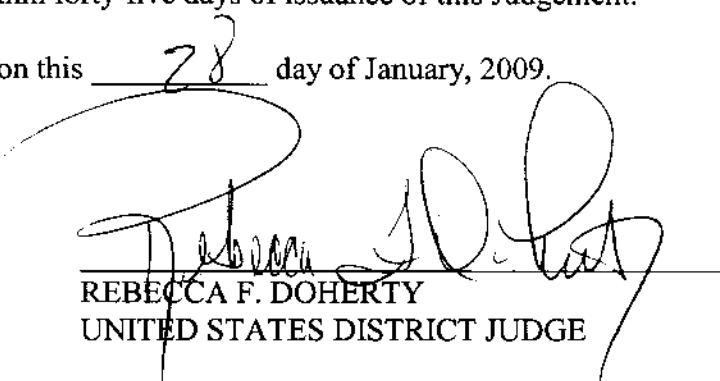
MAGISTRATE JUDGE METHVIN

JUDGMENT

This matter was referred to United States Magistrate Judge Mildred E. Methvin for her Report and Recommendation. After an independent review of the record, the applicable jurisprudence, and the objection filed by defendants Van Ha and Phan Nguyen, this Court concludes that the Report and Recommendation of the magistrate judge is correct and this Court adopts the findings and conclusions set forth therein.

For the reasons stated in the Report and Recommendation previously filed herein, defendants Motion to Dismiss (Rec. Doc. 37) is DENIED without prejudice to defendants' right to reurge the motion if defendants are not served within forty-five days of issuance of this Judgement.

Signed at Lafayette, Louisiana on this 28 day of January, 2009.


REBECCA F. DOHERTY
UNITED STATES DISTRICT JUDGE