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WESTERN DISTRICT OF LOUISIANA
LAFAYETTE, LOUISIANAUNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAFAYETTE-OPELOUSAS DIVISION

RICHARD C. BENTLEY

CASE NO.: 08-CV-1017

VS.

JUDGE DOHERTY

LCM CORPORATION
DANNY R. HUBBARD, II

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 and the applicable jurisprudence, and noting the absence of objection, this Court concludes that the Findings and Recommendation of the magistrate judge are correct and this Court adopts the conclusions set forth therein.

Accordingly, **IT IS ORDERED, ADJUDGED AND DECREED** that LCM Corporation's motion to dismiss plaintiff's complaint in its entirety is **DENIED** as it alleges a claim for breach of contract. Plaintiff's claims for expectation damages and injunctive relief are not dismissed. **IT IS FURTHER ORDERED** that plaintiff's claims for tortious breach of contract, attorneys fees, reliance damages and restitution are **DISMISSED WITH PREJUDICE**.

Lafayette, Louisiana this 30 day of March, 2009.
REBECCA F. DOHERTY
UNITED STATES DISTRICT JUDGE