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**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAFAYETTE DIVISION**

MCKAY EQUIPMENT, LLC

CIVIL ACTION 08-2019

VERSUS

JUDGE HAIK

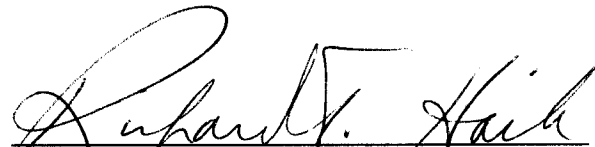
A&L VALVE AND FITTING, L.P.

MAGISTRATE JUDGE METHVIN

RULING

Before the Court is Defendant's Rule 12 Motion to Dismiss. After a thorough review of the record and the Report and Recommendation of the Magistrate Judge, the Motion is **DENIED**.

THUS DONE and SIGNED on this 5th day of October, 2009.


Judge Richard T. Haik, Sr.
United States District Court