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JUN 17 2010

TONY R. MOORE, CLERK
WESTERN DISTRICT OF LOUISIANA
LAFAYETTE, LOUISIANA

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

SHARON G. FONTENOT, ET AL

CIVIL ACTION 10-162

VERSUS

JUDGE DOHERTY

JOHNSON & JOHNSON, ET AL

MAGISTRATE JUDGE HANNA

JUDGMENT

This matter was referred to United States Magistrate Judge Patrick J. Hanna for his Report and Recommendation. After an independent review of the record, the applicable jurisprudence, and noting the absence of objections filed by the parties, this Court concludes that the findings and recommendation of the magistrate judge are correct and adopts the conclusions set forth therein. Therefore,

IT IS ORDERED that Plaintiffs' Motion to Remand for Lack of Subject Matter Jurisdiction, for Costs, Expenses, & Attorney's Fees (rec. doc. 5) is **DENIED**.

IT IS FURTHER ORDERED that the Motion to Dismiss Under F.R.C.P. 12(B)(6) on Grounds of Prematurity on Behalf of Hospital Service District No. 2 and Opelousas Hospital Authority D/B/A Opelousas General Health System, Scottie J.

Dumas, L.P.N., April B. Mason, L.P.N., and Nautilus Insurance Company (rec. doc. 16)

is **GRANTED** and these defendants are dismissed without prejudice.

THUS DONE AND SIGNED, in chambers, in Lafayette, Louisiana, on
this 17 day of ~~May~~ ^{June}, 2010.



REBECCA F. DOHERTY
UNITED STATES DISTRICT JUDGE