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UNITED STATES DISTRICT COURT

WESTERN DISTRICT OF LOUISIANA

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

LAFAYETTE DIVISION

MELANIE BOSWELL

*

CIVIL NO. 14-3183

VERSUS

*

JUDGE DOHERTY

ROSEMONT REALTY, ET AL

*

MAGISTRATE JUDGE HILL

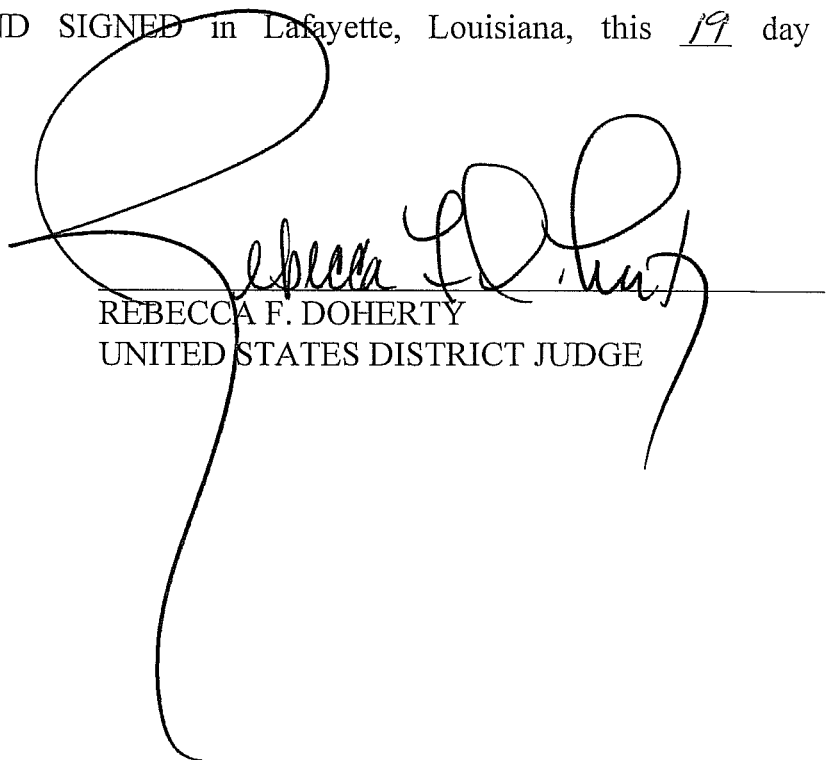
JUDGMENT

This matter was referred to United States Magistrate Judge C. Michael Hill for Report and Recommendation. After an independent review of the record, including the objections filed herein, 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 Partial Motion to Dismiss Pursuant to Federal Rule of Civil Procedure 12(b)(1) and 12(b)(6) filed by defendant, South Point Operating Associates, Limited Partnership [rec. doc. 9], is GRANTED, and that plaintiffs' claims under the Louisiana Whistleblower Act, LA. REV. STAT. § 23:967; the Clean Air Act, 42 U.S.C. §§ 7401, *et seq.*; breach of the General Duty Clause of the Occupational Safety Health and Administration; the Louisiana Department of Environmental Quality Regulations; the breach of duty to provide a safe workplace, LA. REV. STAT. § 23:13; damages caused by ruin of a building, LA. CIV. CODE art. 2322, and The Fair Housing Act, 42 U.S.C. §§ 3601, *et. seq.*, against South Point Operating Associates, Limited Partnership be DISMISSED WITH PREJUDICE.

The claims for violations of the Louisiana Environmental Whistleblower Act, LA. REV. STAT. § 30:2027, and for intentional infliction of emotional distress will remain.

THUS DONE AND SIGNED in Lafayette, Louisiana, this 19 day of May, 2015.



REBECCA F. DOHERTY
UNITED STATES DISTRICT JUDGE