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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAFAYETTE DIVISION

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

Landry, et al

Civil Action No. 6:16-cv-00192

versus

Judge Rebecca F. Doherty

NuVasive Inc., et al

Magistrate Judge Carol B. Whitehurst

JUDGMENT

For the reasons contained in the Report and Recommendation of the Magistrate Judge filed previously herein, noting the absence objections thereto, and concurring with the Magistrate Judge's findings under the applicable law;

IT IS ORDERED that the Motion To Dismiss under Fed. R. Civ. P. 12(b)(6) filed by Defendant, NuVasive, Inc. [Rec. Doc. 48] is **GRANTED** and Plaintiffs' claim for defective design is **DISMISSED WITH PREJUDICE**.

THUS DONE AND SIGNED in Lafayette, Louisiana, on this 1st day of

March, 2017.


Rebecca F. Doherty
United States District Judge