UNITED STATES DISTRICT COURT EASTERN DISTRICT OF NORTH CAROLINA WESTERN DIVISION

| H. Richard Austin, |) | |
|---|---|--------------------|
| Plaintiff, |) | |
| |) | |
| v. |) | JUDGMENT |
| |) | |
| Douglas G. Peterson & Associates, Inc., |) | No. 5:11-CV-373-BF |
| Stephen W. Houghton, and Jimmy Pau, |) | |
| Defendants. |) | |
| |) | |

Decision by Court.

This action came before Senior United States District Judge W. Earl Britt for the consideration of the defendants' motion to dismiss.

IT IS ORDERED, ADJUDGED AND DECREED that Defendants' motion to dismiss (DE # 5) is GRANTED. Plaintiff's complaint is DISMISSED WITH PREJUDICE. The Clerk is DIRECTED to close this case

This judgment filed and entered on December 1, 2011, and served on:

Paul Marshall Yoder (via CM/ECF Notice of Electronic Filing) George L. Goodridge (via CM/ECF Notice of Electronic Filing) H. Richard Austin (via US Mail PO Box 29472, Saint Louis, MO 63126)

December 1, 2011 /s/ Dennis P. Iavarone,
Clerk of Court