

**UNITED STATES DISTRICT COURT**

**EASTERN DISTRICT OF TEXAS**

GEORGE LLOYD,

Plaintiff,

*versus*

THE MADE-RITE COMPANY,

Defendant.

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CIVIL ACTION NO. 9:11-CV-6

**ORDER ADOPTING REPORT AND  
RECOMMENDATION OF UNITED STATES  
MAGISTRATE JUDGE**

The Report and Recommendation of the Magistrate Judge, which contains her findings, conclusions, and recommendation for the disposition of this case has been presented for consideration. The Report and Recommendation recommends that Defendant’s 12(b)(6) Motion to Dismiss Plaintiff’s State Law Claims (#4) be granted and that Plaintiff’s state claims of intentional infliction of emotional distress and negligent hiring, supervision, training, and/or retention against Defendant be dismissed with prejudice. Plaintiff’s federal claims of ADEA and FMLA remain. No written objections have been filed. The Court therefore adopts the findings and conclusions of the Magistrate Judge as those of the Court.

In light of the foregoing, it is

**ORDERED** that Defendant’s 12(b)(6) Motion to Dismiss Plaintiff’s State Law Claims (#4) is **GRANTED**.

SIGNED at Beaumont, Texas, this 7th day of March, 2011.

*Marcia A. Crone*

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MARCIA A. CRONE  
UNITED STATES DISTRICT JUDGE