

ENTERED

April 26, 2017

David J. Bradley, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

JD JORDAN,

Plaintiff,

VS.

ROBERT C. FLEXTON, *et al*,

Defendants.

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CIVIL ACTION NO. 4:16-CV-3316

ORDER GRANTING DEFENDANTS' MOTION TO DISMISS PURSUANT TO FEDERAL RULE OF CIVIL PROCEDURE 12(B)(6)

On this day, came to be heard the defendants', Robert Flexon, Mario Alonso, Catherine Callaway James, Carolyn Burke, Clint Freeland, Henry Jones, and Dynegey Inc., motion to dismiss pursuant to Fed. R. Civ. P. 12(b)(6). After reviewing the motion and the pleadings, the Court finds that the motion should be, and hereby is, GRANTED in its entirety.

It is therefore ORDERED that the defendants' motion to dismiss the plaintiff's, J. D. Jordan, claims pursuant to Fed. R. Civ. P. 12(b)(6) is hereby GRANTED in its entirety, and that all causes of action asserted by the plaintiff, J. D. Jordan, against the defendants are DISMISSED with prejudice due to the fact that the transactions in question are compensation related and are designed to be exempt under Section 16b-3(e) of the Securities Exchange Act of 1934; 15 U.S.C. § 78p(b).

It is further ORDERED that all costs and expenses shall be borne by the party incurring same.

It is so ORDERED.

SIGNED on this 26th day of April, 2017.



Kenneth M. Hoyt
United States District Judge