

IN THE UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF TEXAS

DALLAS DIVISION

SAMUEL TROICE, *et al.*,

Plaintiffs,

v.

PROSKAUER ROSE LLP, *et al.*,

Defendants.


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Civil Action No. 3:09-CV-1600-N

ORDER

This Order addresses Defendants Chadbourne & Park LLP, Proskauer Rose LLP, Thomas V. Sjoblom, and P. Mauricio Alvarado’s motions to dismiss Plaintiffs’ second amended class action complaint [29, 31, 36, 44]. Because the Plaintiffs bring claims “based upon the statutory or common law of” Texas and “alleging . . . a misrepresentation or omission of a material fact in connection with the purchase or sale of a covered security,” 15 U.S.C. § 77p(b)(1), as discussed in the Court’s Order of August 31, 2011 in *Roland v. Green* [3:10-cv-0224-N, doc. 72], the Securities Litigation Uniform Standards Act of 1998 precludes this action. Accordingly, the Court grants Defendants’ motions and dismisses Plaintiffs’ claims with prejudice.¹

Signed October 21, 2011.


David C. Godbey
United States District Judge

¹The Court denies Plaintiffs’ motion to stay case pending appeal of SLUSA decision in related case as moot [91].