

P-325

NO. 2011-50578

ERVIN WALKER, et al.,

Plaintiffs

VS.

DIRECTORY DISTRIBUTING
ASSOCIATES, INC., et al.,

Defendants

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IN THE DISTRICT COURT

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HARRIS COUNTY, TEXAS

269th JUDICIAL DISTRICT

INTERLOCUTORY ORDER

Pending before the Court is Defendants' Motion to Dismiss as to Non-Texas Collective Action Plaintiffs Pursuant to Texas Civil Practice & Remedies Code Section 15.003. The motion was directed to all collective action plaintiffs listed on the attached Exhibit "A" who reside outside Texas and distributed phone books outside Texas.

Plaintiffs filed their response on July 22, 2013, and Defendants filed a reply on July 26, 2013. Plaintiffs then filed a Sur-Reply on July 30, 2013. After considering the motion and the various responses of both Plaintiffs and Defendants, the evidence submitted and case law submitted by the Parties, the applicable law, and arguments of counsel, the Court concludes that it should grant Defendants' motion.

It is, therefore, ORDERED, ADJUDGED AND DECREED that the Defendants' Motion to Dismiss as to Non-Texas Collective Action Plaintiffs Pursuant to Texas Civil Practice & Remedies Code Section 15.003 is hereby GRANTED and all of the non-Texas collective action plaintiffs whose identities appear in the attached Exhibit "A" are hereby dismissed from this case

without prejudice. This Order does not affect any plaintiff who was a resident of Texas or who claimed to have delivered phone books in Texas at the time Defendants' Motion was filed.

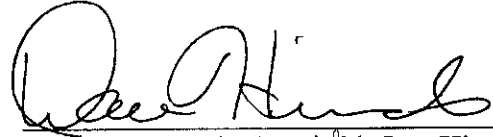
to refile in a court of competent jurisdiction having venue of such claims and plaintiffs

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RECORDER'S MEMORANDUM
This instrument is of poor quality
at the time of imaging

IT IS SO ORDERED.

Signed this 19th day of September, 2013.

A handwritten signature in black ink, appearing to read "Dan Hinde", written over a horizontal line.

The Honorable Dan Hinde
Presiding Judge, 269th District Court

Unofficial Copy Office of Chris Daniel District Clerk