

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION

CYNTHIA JOHNSON

V.

ONCOR ELECTRIC DELIVERY CO., LLC;
TXU ENERGY RETAIL COMPANY, LLC
AND ENERGY FUTURE HOLDINGS CORP.

§
§
§
§
§
§

CIVIL ACTION
NO. W-13-CA-022

ORDER GRANTING JOINT MOTION TO DISMISS

Comes on to be considered the Joint Motion to Dismiss of TXU Energy Retail Company, LLC (hereinafter "TXU") and Energy Future Holdings Corp. (hereinafter "EFH"), named Defendants in the above-entitled and numbered cause. The motion seeks dismissal pursuant to Rule 12(b)(1) and, alternatively, pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure. The motion is found to have merit.

THEREFORE, it is ORDERED that the Joint Motion to Dismiss of TXU and EFH is GRANTED and the Plaintiff's action against TXU and EFH, including the pendant state claims, is DISMISSED.

Signed this ___ day of _____, 2013.

Walter S. Smith, Jr.
United States District Judge