

ENTERED

March 06, 2024

Nathan Ochsner, Clerk

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

ROBERT C. VILT,

Plaintiff,

VS.

FORIS DAX, INC., et al.,

Defendants.

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CIVIL ACTION NO. 4:23-CV-01685

ORDER

On March 4, 2024, the Court held a hearing on Defendant XR Trading’s Motion to Dismiss, ECF No. 34. At that hearing, the Court concluded that it lacks personal jurisdiction over XR Trading. Accordingly, XR Trading’s Motion to Dismiss is **GRANTED**. Plaintiff’s claims against XR Trading are **DISMISSED WITHOUT PREJUDICE**. See *ITL Int’l, Inc. v. Cafe Soluble, S.A.*, 464 F. App’x 241, 244 (5th Cir. 2012) (holding that dismissal for lack of personal jurisdiction is not an adjudication on the merits and must be without prejudice).

IT IS SO ORDERED.

Signed at Houston, Texas on March 4, 2024.



Keith P. Ellison
United States District Judge