

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

SECURITIES AND EXCHANGE COMMISSION, §
Plaintiff, §
v. §
ROCKWELL ENERGY OF TEXAS, LLC §
ROCKWELL ENERGY MANAGEMENT, LLC §
GREGORY S. SHINDLER, §
BRADLEY M. JAMES, §
W. TODD SMITH, §
STUART E. RAWITT, and §
BRIAN W. WALSH §
Defendants. §

Civil Action No.: 4:09-cv-4080

ORDER GRANTING DEFENDANTS' MOTION TO DISMISS

On this day the court considered the motion to dismiss filed by Defendants Rockwell Energy of Texas, L.L.C., Rockwell Energy Management, L.L.C., Gregory S. Shindler and Bradley M. James and was of the opinion that the motion should be granted in all respects.

It is, therefore, ORDERED that the SEC's claims against Defendants Rockwell Energy of Texas, L.L.C., Rockwell Energy Management, L.L.C., Gregory S. Shindler and Bradley M. James under the Securities Exchange Act of 1934 and Rule 10b-5 and Securities Act of 1933 be, and hereby are, dismissed with prejudice to refile pursuant to Federal Rule of Civil Procedure 12(b)(6) and Federal Rule of Civil Procedure 9(b).

It is further ORDERED that the SEC's claim for injunctive relief against Defendants Rockwell Energy of Texas, L.L.C., Rockwell Energy Management, L.L.C., Gregory S. Shindler and Bradley M. James be, and hereby are, dismissed with prejudice to refiling.

SIGNED _____ this day of _____, 2010.

UNITED STATES DISTRICT JUDGE