

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
LUFKIN DIVISION**

**BLAND BROWN, JR. and
ANDRA LYNN BROWN**

V.

**HARLEYSVILLE MUTUAL
INSURANCE COMPANY, ET AL.**

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NO. 9:10-CV-190

**ORDER ADOPTING
MAGISTRATE JUDGE’S REPORT AND RECOMMENDATION**

The court referred this matter to the Honorable Earl S. Hines, United States magistrate judge, for pretrial proceedings pursuant to a Referral Order filed on December 30, 2010. The court has received and considered the report of the United States magistrate judge, who recommends that the court: (1) enter a partial final judgment without prejudice as to plaintiffs’ claims against Harleysville Mutual Insurance Company and Dennis B. Deady, and (2) grant plaintiffs’ unopposed motion to remand, and remand the case to the 258th Judicial District Court, Polk County, Texas. No objections have been filed to plaintiffs dismissal of defendants Harleysville Mutual Insurance Company and Dennis B. Deady, and plaintiffs’ motion to remand is unopposed.

The magistrate judge’s report is hereby **ADOPTED**, and plaintiffs’ unopposed “Motion to Remand” (Docket No. 18) is **GRANTED**.

Partial final judgment dismissing defendants Harleysville Mutual Insurance Company and Dennis B. Deady, and an order remanding the action against the remaining defendant Germania Insurance Company to the 258th Judicial District Court, Polk County, Texas will be entered separately.

So **ORDERED** and **SIGNED** this **28** day of **July, 2011**.



Ron Clark, United States District Judge