

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
SOUTHERN DIVISION

LORENZO PEARSON and)	
CLARISSA PEARSON,)	
)	
Plaintiffs,)	
)	
v.)	CASE NO. 1:14-CV-347-WKW
)	[WO]
PEA RIVER ELECTRIC)	
COOPERATIVE, INC.,)	
)	
Defendant.)	
)	

ORDER

Before the court are the Recommendation of the Magistrate Judge (Doc. # 41) and Plaintiffs' objections (Doc. # 43). Based upon an independent and *de novo* review of those portions of the Recommendation to which objection is made, *see* 28 U.S.C. § 636(b), it is ORDERED as follows:

1. Plaintiffs' objections (Doc. # 43) are OVERRULED;
2. the Recommendation (Doc. # 41) is ADOPTED;
3. the motion to dismiss and compel arbitration (Doc. # 15) filed by Pea River Electric Cooperative, Inc. ("Cooperative") is DENIED in part only as to Plaintiffs' FDCPA claim against the Cooperative;

4. Plaintiffs' FDCPA claim against the Cooperative is DISMISSED with prejudice for failure to state a claim upon which relief can be granted pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii); and

5. Plaintiffs' remaining state law claims against the Cooperative are DISMISSED without prejudice pursuant to 28 U.S.C. § 1367(c)(3).

A final judgment will be entered separately.

DONE this 5th day of December, 2014.

/s/ W. Keith Watkins
CHIEF UNITED STATES DISTRICT JUDGE