

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

ROBERSON EXCAVATION, INC.,)
)
 Plaintiff,)
)
 v.)
)
 DALE COUNTY WATER)
 AUTHORITY and CDG)
 ENGINEERS AND ASSOCIATES,)
 INC.,)
)
 Defendants.)

CIVIL ACTION NO.
1:15cv939-MHT
(WO)

OPINION

Pursuant to this court's diversity jurisdiction, plaintiff brought this lawsuit claiming breach of contract, tortious interference with a contractual relationship, wrongful termination of a contract, and wrongful misappropriation of retainage funds. This lawsuit is now before the court on the recommendation of the United States Magistrate Judge that defendants' motion to dismiss should be granted in part and denied in part. There are no objections to the recommendation. After an independent and de novo

review of the record, the court concludes that the magistrate judge's recommendation should be adopted.

An appropriate judgment will be entered.

DONE, this the 3rd day of October, 2016.

/s/ Myron H. Thompson
UNITED STATES DISTRICT JUDGE