

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

COTTON STATES MUTUAL)
INSURANCE COMPANY,)
)
Plaintiff,)
)
v.)
)
LEE A. SELLARS, *et al.*,)
)
Defendants.)

CASE NO. 2:07-CV-868-WKW

ORDER

Before the court is the Report and Recommendation of the Magistrate Judge (Doc. # 44), the Motion to Dismiss (Doc. # 54) filed by Defendants Rosemary Stanley and Steven Stanley, and Plaintiff’s Response (Doc. # 57) to the Motion to Dismiss.

There being no objections filed to the Report and Recommendation of the Magistrate Judge, and upon an independent review of the file, it is ORDERED that the Report and Recommendation is adopted and that Plaintiff’s Motion for Default Judgment against Defendant Jason Andrew Donald (Doc. # 27) is GRANTED.

It is further ORDERED, ADJUDGED, and DECREED that Plaintiff Cotton States Mutual Insurance Company has no obligation to defend or indemnify Defendant Jason Andrew Donald with regard to the claims asserted by Defendants Rosemary Stanley and Steven Stanley.

Additionally, there being no objection to Defendants’ Motion to Dismiss, it is ORDERED that the motion is GRANTED, and that Plaintiff’s action against Defendants Rosemary Stanley and Steven Stanley is DISMISSED.

The remaining parties are DIRECTED to file on or before **October 24, 2008**, a joint statement of issues remaining for resolution in this case.

DONE this 15th day of October, 2008.

 /s/ W. Keith Watkins
UNITED STATES DISTRICT JUDGE