

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

VIRGINIA A. SMITHERMAN,)	
)	
Plaintiff,)	
v.)	CASE NO. 2:08-cv-0959-MEF
)	WO
U.S, FOOD AND DRUG)	
ADMINISTRATION/CENTER FOR)	
FOOD SAFETY AND APPLIED)	
NUTRITION, <i>et al.</i> ,)	
)	
Defendants.)	

ORDER

After an independent review of the file, it is the ORDER, JUDGMENT and DECREE of the court that:

1. The plaintiff's objection (Doc. #48) to the Recommendation of the Magistrate Judge filed on June 22, 2009 is overruled;
2. The Recommendation of the Magistrate Judge (Doc. #47) entered on June 9, 2009 is adopted;
3. That the motions to dismiss (Doc. #28, #31, #33 & #38) are GRANTED. The plaintiff's motions to strike (Doc. #40 & #41) are DENIED and this case is DISMISSED without prejudice.

DONE this 7th day of July, 2009.

 /s/ Mark E. Fuller
 CHIEF UNITED STATES DISTRICT JUDGE