

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

| | | |
|-------------------|---|--------------------------|
| CYNTHIA L. BUTTS, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | CASE NO. 2:09-cv-836-MHT |
| |) | [wo] |
| DRESS BARN, INC., |) | |
| |) | |
| Defendant. |) | |

ORDER

On November 20, 2009, the magistrate judge issued a report and recommendation (Doc. 16) to which no timely objections were made. Upon an independent and de novo review of the record and upon consideration of the recommendation of the magistrate judge, it is the ORDER, JUDGMENT and DECREE that:

- (1) The recommendation of the magistrate judge (Doc. 16) is adopted;
- (2) Defendant's motion to dismiss pursuant to Fed. R. Civ. P. 12(b)(3) (Doc. 8) is denied;
- (3) This case is transferred to the United States District Court Western District of Louisiana - Shreveport division; and
- (4) The clerk of the court is DIRECTED to take all necessary steps to effect the transfer.

DONE, this the 17th day of December, 2009.

/s/ Myron H. Thompson
UNITED STATES DISTRICT JUDGE