

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

NUE CHEER FRANKLIN, as)
Administratrix of the)
Estate of Elnoria)
Franklin, and GLADYS)
FRANKLIN, as Alternate)
Administratrix of the)
Estate of Elnoria Franklin,)
)
Plaintiffs,)
)
v.)
)
GARDEN STATE LIFE)
INSURANCE (GSLIC), et al.,)
)
Defendants.)

CIVIL ACTION NO.
2:10cv123-MHT
(WO)

JUDGMENT

In accordance with the memorandum opinion entered
this date, it is the ORDER, JUDGMENT, and DECREE of the
court as follows:

(1) Plaintiffs Nue Cheer Franklin and Gladys
Franklin's objections (doc. no. 55) are overruled.

(2) The United States Magistrate Judge's
recommendation (doc. no. 37) is adopted.

(3) The Franklin plaintiffs' motion to amend complaint (doc. no. 12) is granted.

(4) The Franklin plaintiffs' motion to strike (doc. no. 28) is denied.

(5) Defendants Peggy Chinn's and American National Insurance Company's motions to dismiss (doc. nos. 13, 15, 23, & 25) are granted.

(6) Defendants Chinn and American National Insurance Company and the claims against them are dismissed without prejudice.

It is further ORDERED that costs are taxed against the Franklin plaintiffs, for which execution may issue.

The clerk of the court is DIRECTED to enter this document on the civil docket as a final judgment pursuant to Rule 58 of the Federal Rules of Civil Procedure.

DONE, this the 24th day of August, 2010.

/s/ Myron H. Thompson
UNITED STATES DISTRICT JUDGE