

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

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|----------------------------|---|--------------------------|
| VIOLA H. BANKS, |) | |
| |) | |
| Plaintiff, |) | |
| v. |) | CASE NO. 2:10-cv-595-MEF |
| |) | WO |
| WARREN MANOR NURSING HOME, |) | |
| <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 objections (Doc. #22 & #23) to the Recommendation of the Magistrate Judge filed on January 13, 2010 are overruled;
2. The Recommendation of the Magistrate Judge (Doc. #21) filed on December 27, 2010 is adopted;
3. Pursuant to 9 U.S.C. § 4, defendants' motion to dismiss is GRANTED and plaintiff's claims are DISMISSED with prejudice, and that plaintiff is directed to pursue her claims, if at all, through binding arbitration as set forth in Warren Manor's Employment Dispute Resolution Program.

DONE this the 24th day of January, 2011.

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