

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

| | | |
|------------------------------------|---|------------------------------|
| QUINCY L. ALEXANDER, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | |
| |) | CASE NO. 3:07-cv-647-WHA-TFM |
| BORAL BRICK, INC., <i>et al.</i> , |) | [wo] |
| |) | |
| Defendants. |) | |

ORDER

On October 29, 2008, the Magistrate Judge issued an Amended Recommendation (Doc. 57) to which no timely objections were made. Upon an independent review of the record and upon consideration of the Recommendation of the Magistrate Judge, it is the ORDER, JUDGMENT and DECREE that:

- (1) The Amended Recommendation of the Magistrate Judge is ADOPTED.
- (2) *Defendants’ Motion for Summary Judgment* (Doc. 35) is GRANTED.
- (3) This action is DISMISSED with prejudice.
- (4) *Defendants’ Motion to Strike Plaintiff’s “Reply Brief.”* (Doc. 44) is DENIED as moot.
- (5) Plaintiff’s Motion for Reconsideration (Doc. 48) is DENIED as moot because the evidentiary materials have now been considered.
- (6) Any other outstanding motions are DENIED as moot.

DONE this 19th day of November, 2008.

/s/ W. Harold Albritton
SENIOR UNITED STATES DISTRICT JUDGE