

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

JAMES CARL PRITCHARD, JR., )  
individually, and )  
GAYNELLE P. WILLOUGHBY, )  
individually, )  
 )  
Plaintiffs, )  
 )  
v. )  
 )  
ALABAMA POWER COMPANY, )  
 )  
Defendant. )

CIVIL ACTION NO.  
3:11cv228-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 James Carl Pritchard, Jr. and Gaynelle P. Willoughby's objections (doc. no. 19) are overruled.
- (2) The United States Magistrate Judge's recommendation (doc. no. 18) is adopted.
- (3) Defendant Alabama Power Company's motion to dismiss (doc. no. 14) is granted and this case

is dismissed in its entirety without prejudice.

(4) Defendant Alabama Power Company's motion to dismiss and alternative motion to stay (doc. no. 9) are denied as moot.

It is further ORDERED that costs are taxed against plaintiffs Pritchard and Willoughby, 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.

This case is closed.

DONE, this the 17th day of August, 2011.

/s/ Myron H. Thompson  
UNITED STATES DISTRICT JUDGE