

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

**ALABAMA INSURANCE)
GUARANTY ASSOCIATION,)**

Plaintiff,)

vs.)

Civil Action No. 2:11-CV-3228-PWG

FRANK CRUM 1, INC., *et al.*,)

Defendants.)

ORDER

This case is before the court on the report and recommendation of the Magistrate Judge, recommending that defendants' motion to dismiss be denied.¹ Defendants filed objections to the report and recommendation,² and plaintiff replied to defendants' objections.³

The court has considered the entire file in this action, including the report and recommendation, and has reached an independent conclusion that defendants' objections are due to be overruled, and the report and recommendation is due to be adopted and approved. Accordingly, the court hereby overrules defendants' objections and adopts and approves the findings and recommendation of the

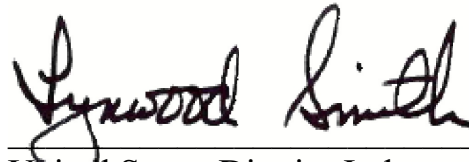
¹ Doc. no. 25.

² Doc. no. 27.

³ Doc. no. 31.

Magistrate Judge as the findings and conclusions of this court. It is ORDERED that defendants' motion to dismiss is DENIED. This case is referred back to the Magistrate Judge for all further proceedings.

DONE this 14th day of June, 2012.

A handwritten signature in black ink, reading "Lynwood Smith". The signature is written in a cursive style with a large initial "L".

United States District Judge