

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

THE CHARTER OAK FIRE )  
INSURANCE COMPANY; and )  
TRAVELERS PROPERTY )  
CASUALTY COMPANY OF )  
AMERICA, )

Plaintiffs, )

v. )

GRACIE DAVIS, as personal )  
representative of the estate of GREGORY )  
D. CHANEY; MARLA SARTAIN )  
CASTILLO, as personal representative )  
of the estate of SERGIO CASTILLO )  
RIVAS; DANIEL PELAYO SILVERIO; )  
and CORNELIUS DANCY, )

LEAD CASE  
CIVIL ACTION NO.  
CV-11-RRA-01721-W

The Estate of SERGIO CASTILLO )  
RIVAS, by and through MARLA )  
SARTAIN CASTILLO, personal )  
representative and administratrix )  
of The Estate of Sergio Rivas, )  
deceased; )

Plaintiff, )

v. )

KATHY CREPPEL GALLEGOS, )  
An individual; TRAVELERS )  
PROPERTY CASUALTY )  
COMPANY OF AMERICA; )  
THE CHARTER OAK FIRE )  
INSURANCE COMPANY, )

Defendants. )

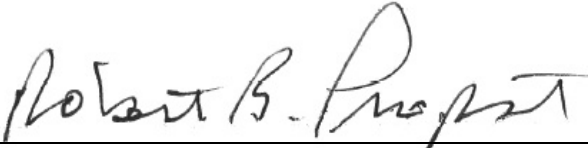
MEMBER CASE  
CIVIL ACTION NO.  
CV-11-RRA-2214-W

Memorandum Opinion

This is a consolidated civil action. Before the court is the plaintiff's motion to bifurcate and remand (doc. 41, in CV-11-RRA-1721; doc. 36, in CV-11-RRA-2214); the plaintiff's amended motion to bifurcate and remand (doc. 42, in CV-11-RRA-1721; doc. 38, in CV-11-RRA-2214); the plaintiff's supplemental and renewed motion to remand (doc. 44, in CV-11-RRA-1721; doc. 51, in CV-11-RRA-2214); and the plaintiff's supplemental motion to remand (doc. 79 in CV-11-RRA-1721; doc. 109, in CV-11-RRA-2214). On December 7, 2012, the magistrate recommended that the motions be denied. (Doc. 86.) No objections have been filed.

Having carefully considered *de novo* all the materials in the court file, including the report and recommendation, and the objections thereto, the court is of the opinion that the recommendation ought to be, and hereby is ADOPTED and ACCEPTED as the opinion of this court. The court specifically determines that the motions are due to be DENIED. An appropriate order will be entered.

DONE this 23<sup>rd</sup> day of January, 2013.

  
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**ROBERT B. PROPST**  
**SENIOR UNITED STATES DISTRICT JUDGE**