

IN THE UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

DAVID'S AUTO SHREDDING , INC.,)

Plaintiff,)

v.)

Civil Action No. 08-0410-KD-B

THE SHREDDER COMPANY, LLC and)
ALFRED SCOTT NEWELL II,)

Defendants.)

ORDER

After due and proper consideration of all portions of this file deemed relevant to the issues raised, and a *de novo* determination of those portions of the recommendation to which objection is made, the recommendation of the Magistrate Judge made under 28 U.S.C. § 636(b)(1)(B) and dated March 24, 2009, is ADOPTED as the opinion of this Court.

Accordingly, the motions to dismiss filed by defendants The Shredder Company, LLC and Alfred Scott Newell II are DENIED, their alternative motions to transfer are GRANTED, and this action is TRANSFERRED to the United States District Court for the Western District of Texas, El Paso Division.

DONE and **ORDERED** this 14th day of October, 2011.

s/ Kristi K. DuBose
KRISTI K. DuBOSE
UNITED STATES DISTRICT JUDGE