

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

MARCUS TATE, :

Plaintiff, :

vs. : **CA 08-0587-WS-C**

GATORADE, INC., et. al, :

Defendants. :

JUDGMENT

In accordance with the order entered on this date, it is hereby
ORDERED, ADJUDGED, and DECREED that Defendants' motion to
Dismiss (Doc. 2) be **GRANTED** and that Plaintiff's claims are
DISMISSED.

DONE this 6th day of January, 2009.

s/ WILLIAM H. STEELE
UNITED STATES DISTRICT JUDGE