

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

**SANDERS HYLAND CORP.,** :

**Plaintiff,** :

**v.** : **CIVIL ACTION NO. 08-0723-CG-M**

**AMERISURE INSURANCE CO., et al.** :

**Defendants.** :

**ORDER**

After due and proper consideration of all portions of this file deemed relevant to the issues raised, and there having been no objections filed, the Report and Recommendation of the Magistrate Judge made under 28 U.S.C. § 636(b)(1)(B) is adopted as the opinion of this Court. It is therefore **ORDERED** that Defendant's Motion to Dismiss (Doc. 21) is **DENIED**.

**DONE and ORDERED** this 29<sup>th</sup> day of May, 2009.

/s/ Callie V. S. Granade  
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CHIEF UNITED STATES DISTRICT JUDGE