

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

<b>MIKE and MICHELLE MILLER,</b>	)	
	)	
<b>Plaintiffs,</b>	)	
	)	
<b>vs.</b>	)	<b>CA 09-0067-KD-C</b>
	)	
<b>SOUTHEAST SUPPLY HEADER,</b>	)	
<b>LLC,</b>	)	
	)	
<b>Defendant.</b>	)	

**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 August 19, 2009, is **ADOPTED** as the opinion of this Court with the following amendment: Footnote #2 is deleted.

**DONE** this 31st day of December, 2009.

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