

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

SHAWNEE TERMINAL)	
RAILROAD CO., INC.,)	
)	
Plaintiff,)	
)	
vs.)	CIVIL ACTION 01:09-cv-00113-KD-N
)	
J.E. ESTES WOOD CO., INC. and)	
A.A. NETTLES, SR. PROPERTIES,)	
LTD.)	
Defendants.)	

JUDGMENT

In accordance with the Order issued on this date, the Magistrate Judge’s Supplemental Report and Recommendation (Doc. 38) is hereby **ADOPTED**, Defendant’s Motion to **DISMISS** (Doc. 24) is hereby **GRANTED**, and this case is hereby **DISMISSED**.

DONE and **ORDERED** this the 18th day of September, 2009.

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