

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

<b>QBE INSURANCE CORPORATION,</b>	:	
<b>Petitioner,</b>	:	
<b>vs.</b>	:	<b>CA 09-0190-CG-C</b>
<b>DOLPHIN LINE, INC.,</b>	:	
<b>Respondent.</b>	:	

**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 recommendation of the Magistrate Judge made under 28 U.S.C. § 636(b)(1)(B) and dated August 11, 2009 is **ADOPTED** as the opinion of this court.

Dolphin Line, Inc.'s motion to dismiss QBE's complaint (Doc. 15) is **DENIED**.

**DONE and ORDERED** this 6<sup>th</sup> day of October, 2009.

/s/ Callie V. S. Granade

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**CHIEF UNITED STATES DISTRICT JUDGE**