

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

**TURQUOISE PROPERTIES GULF,)
INC., and U.S. BANK NATIONAL)
ASSOCIATION,)**

Plaintiffs,)

v.)

CIVIL ACTION NO. 09-00272-KD-N

IBERIABANK, a Louisiana Bank,)

Defendant.)

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 October 8, 2009, is **ADOPTED** as the opinion of this Court. It is **ORDERED** that defendant’s motion to dismiss Plaintiff Turquoise Properties Gulf, Inc. (Doc. 25) be and is hereby **DENIED**.

DONE this 21st day of October, 2009.

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