

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

**SUPERIOR ENERGY SERVICES, LLC, :**

**Plaintiff, :**

**vs. :**

**BOCONCO, INC., :**

**Defendants :**

**CIVIL ACTION 09-00321-KD-C**

**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 dated March 26, 2010 is **ADOPTED** as the opinion of this Court. It is **ORDERED** that Defendant Boconco, Inc.'s Motion to Dismiss Second Amended Complaint (Doc. 33) is **DENIED**.

**DONE and ORDERED** this the **13<sup>th</sup>** day of **April 2010**.

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