

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

KEITH RICHARDSON,)	
)	
Plaintiff,)	
)	
v.)	CIVIL ACTION NO. 09-0451-
)	KD-N
)	
FORT DEARBORN LIFE INS.CO., et al.,))	
)	
Defendants.)	

ORDER

After due and proper consideration of all pleadings in this file, and a de novo determination of those portions of the Report and Recommendation to which objection is made, the Report and Recommendation of the Magistrate Judge made under 28 U.S.C. § 636 (Doc. 15) is adopted as the opinion of this Court, subject to the following clarification. This Court construes as typographical errors the Magistrate Judge’s references on page 6 of the Report and Recommendation to claims of “nuisance, negligence, wantonness or trespass against the employee defendants” and to a cause of action against “any of the employee defendants.” In interpreting and adopting the Report and Recommendation, this Court replaced the above quoted phrases with the respective phrases “breach of contract, bad faith refusal to pay a valid insurance claim, and outrage against Defendant Bass” and “against Defendant Bass.” The Court understands the Magistrate Judge as having

intended to refer to Plaintiff Richardson's claims against Defendant Bass rather than to the claims actually listed, which were not alleged in this lawsuit.

It is **ORDERED** that the petitioner's plaintiff's Motion to Remand (Doc. 9) is **GRANTED** and the case **REMANDED** to the Circuit Court of Conecuh County, Alabama.

DONE this 20th day of October, 2009.

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