

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

<b>DAN J. QUALE,</b>	:	
	:	
<b>Plaintiff,</b>	:	
	:	
<b>v.</b>	:	<b>CIVIL ACTION NO. 09-0519-CG-M</b>
	:	
<b>UNIFUND CCR PARTNERS, et al.,</b>	:	
	:	
<b>Defendants.</b>	:	

**ORDER**

After due and proper consideration of all portions of this file deemed relevant to the issue raised, and there having been no objections filed, the Report and Recommendation of the Magistrate Judge made under 28 U.S.C. § 636(b)(1)(B) is **ADOPTED** as the opinion of this Court. It is **ORDERED** that Defendant Unifund CCR Partners' Motion to Dismiss (Doc. 6) is **DENIED** as to Count One of the Complaint and **GRANTED** as to Counts Two and Three of the Complaint. It is further **ORDERED** that Counts Two and Three of the Complaint be and are hereby **DISMISSED** without prejudice as to Defendant Unifund CCR Partners.

**DONE** and **ORDERED** this 27<sup>th</sup> day of January, 2010.

/s/ Callie V. S. Granade  
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CHIEF UNITED STATES DISTRICT JUDGE