

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

STEVEN PATRICK YEZZI, et al.,)
)
 Plaintiffs,)
)
 v.)
)
 HAWKER FINANCIAL CORP., et al.,)
)
 Defendants.)

CIVIL ACTION NO. 09-0537-KD-N

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 is adopted as the opinion of this Court.

It is ORDERED that the plaintiff’s Motion to Remand is **GRANTED**, that this action be **REMANDED** to the Circuit Court of Mobile County, Alabama, and that plaintiffs’ motion for attorney’s fees be **DENIED**.

DONE this the **14th** day of **December**, 2009.

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