

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

DIANE SMITH,

Plaintiff,

vs.

BALDWIN COUNTY COMMISSION,

Defendant.

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CIVIL ACTION 09-0616-CG-M

ORDER

After due and proper consideration of all pleadings in this file, 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) is adopted as the opinion of this Court.

It is ORDERED that Defendant's Motion for Partial Dismissal (Docs. 21-22) be granted as to Plaintiff's claim for punitive damages, but denied as to Smith's claim for retaliation.

DONE and ORDERED this 25th day of June, 2010.

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