

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

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|---|---|------------------------|
| LIFE INSURANCE COMPANY OF NORTH AMERICA, | : | |
| | : | |
| Plaintiff, | : | |
| | : | CA 09-0831-CG-C |
| vs. | : | |
| | : | |
| DEBORAH FOSTER, <u>et al.</u>, | : | |
| | : | |
| Defendants. | | |

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 made under 28 U.S.C. § 636(b)(1)(B) and dated March 31, 2010 is **ADOPTED** as the opinion of this Court.

Therefore, Defendant Deborah Foster's motion to dismiss, or inter alia transfer to the Circuit Court of Pike County, Alabama or the Middle District of Alabama (Doc. 20) is hereby **DENIED IN ITS ENTIRETY**, and the paragraphs of Defendant Deborah Foster's answer to the cross-claim and third-party complaint, requesting dismissal of the claims brought by Amanda M. Foster and Ashley N. Foster, as well as the claims brought on behalf of T.M.F. and D.J.F. by Wendy Foster are hereby **STRICKEN** for failure to comply with Local Rule 7.1(a).¹

DONE and ORDERED this 5th day of May, 2010.

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

¹Defendant Deborah Foster is granted leave to file a motion to dismiss the aforementioned claims along with a brief in support pursuant to Local Rule 7.1(a).