

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

MARC E. OLIVER, d/b/a GULF COAST :
ENVIRONMENTAL AND RECOVERY,
And T.M. JEMISON CONSTRUCTION :
CO. INC. d/b/a JEMISON MARINE, INC., :
Plaintiffs, : CA 11-0223-KD-C

MIDSOUTH BANK, N.A., :
Plaintiff/Counter-Defendant : IN ADMIRALTY
In Personam and In Rem

vs. :

M/V BARBARY COAST, her engines,
tackle, furniture, and appurtenances, etc., :
In Rem, and RODD CAIRNS, an :
individual, and ATCHAFALAYA MARINE, :
LLC, In personam, :
Defendants/Counter-Plaintiffs/ :
Third-Party Plaintiffs, :

vs. :

EAGLE RIVER TOWING, L.L.C., p/k/a/or :
a/k/a EAGLE INLAND TOWING, :
NATIONAL UNION FIRE INSURANCE :
COMPANY OF PITTSBURGH, PA, :
LOUISIANA LIMESTONE & LOGISTICS, :
L.L.C., and CURTIS BUFORD, :
Third-Party Defendants. :

ORDER

This matter is before the Court on Midsouth’s motion for leave of Court to file its answer out of time (Doc. 103), as embedded in its Objection to the Report and Recommendation (Doc. 96).

On September 6, 2011, the Court ordered any Response to Midsouth's motion to be filed by September 14, 2011. To date, no Responses in opposition have been filed. Thus, Midsouth's motion (as contained within Doc. 103) is construed as unopposed and is accordingly **GRANTED**.

DONE and ORDERED this the **16th** day of **September 2011**.

/s/ Kristi K. DuBose

KRISTI K. DuBOSE

UNITED STATES DISTRICT JUDGE