

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

IN THE MATTER OF THE)	
COMPLAINT OF)	
)	CASE NO. 12-0390-KD-N
NATURES WAY MARINE, LLC,)	
Owner of the Tank Barge NWM 431)	IN ADMIRALTY/RULE 9(h)
or AO 431 (Hull No. D 557753))	
for Exoneration from or imitation of)	
Liability)	

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 Report and Recommendation of the Magistrate Judge made under 28 U.S.C. § 636(b)(1)(B) and dated January 8, 2013, is **ADOPTED** as the opinion of this Court.

Accordingly, it is **ORDERED** that the motion to dismiss (doc. 40-41) filed by FlexiCrew Staffing, Inc., Cross-Claim Defendant herein, be and is hereby **DENIED**; and

It is further **ORDERED** that Apex/FCC, LLC’s request for leave to amend its cross-claim against FlexiCrew Staffing, Inc., is **GRANTED**. (See Doc. 52, p. 4; Doc. 53)

Done this the 28th day of January, 2013.

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