

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

JOHN H. MCCULLEY, <u>et al</u> ,	)	
	)	
Plaintiffs,	)	
	)	
vs.	)	CIVIL ACTION NO. 13-0620-CG-N
	)	
BANK OF AMERICA, N.A., <u>et al.</u> ,	)	
	)	
Defendants.	)	

**ORDER**

This cause is before the court on the Plaintiffs’ Motion to Alter or Amend the Court’s Order and Judgment Issued on April 2, 2014 (Docs. 34,35).

The court has further been advised that reference to footnote number two of the Magistrate’s Report and Recommendation (Doc. 32) was dropped from the docketed entry due to a technical error.

Upon due consideration of all matters presented, the court hereby **VACATES** its Order (Doc. 34) and Judgment (Doc. 35) issued on April 21, 2014. Magistrate Nelson is directed to amend her Recommendation to include the reference to the footnote, after which the court will consider the Report and Recommendation de novo.

**DONE and ORDERED** this 6th day of May, 2014.

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