

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

UNITED STATES OF AMERICA, *ex* )  
*rel.*, WILLIAM GATES, CLINTON )  
ROUNTREE, JAMES TRAINOR, )  
AND TAMI ANDREWS, )

Plaintiffs/Relators, )

vs. )

CIVIL ACTION NO. 14-0261-CG-M

AUSTAL USA, LLC, )

Defendant. )

ORDER

After due and proper consideration of 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) dated August 10, 2015, is **ADOPTED** as the opinion of this Court.

Accordingly, it is **ORDERED** that Defendant’s Motion to dismiss (Docs. 34-35) is **GRANTED** as to claims one and two and that the Motion is **DENIED** as to claim three. It is further **ORDERED** that the Defendant’s Motion to Strike (Doc. 33) is **GRANTED**.

Plaintiffs are **ORDERED** to file a Second Amended Complaint, omitting the dismissed claims and the stricken paragraphs, no later than **October, 7, 2015**.

**DONE and ORDERED** this 30th day of September, 2015.

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