

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

<b>MICHAEL KESHOCK, <u>et al</u>,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>vs.</b>	)	<b>CIVIL ACTION NO. 15-0345-CG-N</b>
	)	
<b>METABOWERKE GMBH, <u>et al</u>.,</b>	)	
	)	
<b>Defendants.</b>	)	

**ORDER**

This matter is before the Court on the Report and Recommendation (R&R) of the Magistrate Judge (Doc. 36), Metabo Defendants' Objection to the R&R and Memorandum in support (Docs. 37, 41), Plaintiffs' Response to the Objection and Cross-Objections to the R&R (Doc. 38), Defendants Perciavalle, Bell and Blankenfeld's Motion to Strike Plaintiffs' Cross-Objections (Doc. 39), Plaintiffs' Response in Opposition to the Motion to Strike (Doc. 40), Metabo Defendants' Motion to Strike Plaintiffs' Cross-Objection (Doc. 42), and Metabo Defendants' Response to Plaintiffs' Cross-Objection (Doc. 43).

After due and proper consideration of the issues raised, the Court finds that Plaintiffs' Cross-Objections to the R&R are due to be stricken as untimely, and hereby **GRANTS** the motions to strike (Docs. 39 & 42). Further, upon a de novo consideration of those portions of the recommendation to which objection is made, the recommendation of the Magistrate Judge made under 28 U.S.C. § 636(b)(1)(B) and dated September 25, 2015, is **ADOPTED** as the opinion of this Court. The

Plaintiffs' Motion to Remand (Doc. 14) is **GRANTED**, and as such, this case is **REMANDED** to the Circuit Court of Mobile, County, Alabama, from whence it came.

**DONE and ORDERED** this 9th day of March, 2016.

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