

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

**HAL G. SMITH, III, et al.,** :

**Plaintiffs,** :

**vs.** : **CA 2:08-0639-KD-C**

**VALHALLA RANCH, L.L.C., et al.,** :

**Defendants.** :

***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 recommendation of the Magistrate Judge made under 28 U.S.C. § 636(b)(1)(B) and dated December 18, 2008, is **ADOPTED** as the opinion of this Court.

**DONE** this 12<sup>th</sup> day of January, 2009.

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