

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

**ANZ ADVANCED TECHNOLOGIES, LLC)
d/b/a ANZ USA, LLC, et al.,)**

Plaintiffs,)

v.)

BUSH HOG, LLC, et al.,)

Defendant.)

CIVIL ACTION NO. 09-00228-KD-N

ORDER

After due and proper consideration of all portions of this file deemed relevant to the issue 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) is ADOPTED as the opinion of this Court. It is **ORDERED** that defendant’s motion to dismiss be and is hereby **GRANTED** as to Counts Six and Seven of the Second Amended Complaint but otherwise **DENIED**.

DONE this 20th day of October, 2009.

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