

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

MARTHA CALHOUN,	)	
	)	
<b>Plaintiff,</b>	)	
	)	
v.	)	<b>CIVIL ACTION NO. 09-0601-KD-N</b>
	)	
NATIONAL CREDIT UNION	)	
ASSOCIATION, <i>et al.</i> ,	)	
	)	
<b>Defendants.</b>	)	

**ORDER**

After due and proper consideration of all pleadings in this file and there having been no objections filed, the December 3, 2009 Report and Recommendation of the Magistrate Judge made under 28 U.S.C. § 636 is **ADOPTED** as the opinion of this Court.

It is **ORDERED** that Defendant National Credit Union Association’s Motion to Dismiss (Doc. 10) is **DENIED**, subject to the right of any defendant to challenge process and/or service of process at the appropriate time.

**DONE and ORDERED** this the 12<sup>th</sup> day of **March 2010**.

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