

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

**EARL FERGERSON, et al.,  
Plaintiffs,**

vs.

**TENNESSEE AMERICAN RECYCLING,  
LLC, et al.,  
Defendants.**

:  
:  
:  
:  
:  
:  
:  
:  
:  
:

**CIVIL ACTION NO. 11-00549-KD-C**

**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) and dated December 2, 2011, is hereby **ADOPTED** as the opinion of this Court. Accordingly, it is **ORDERED** that Plaintiffs' Motion to Remand (Doc. 5) is **GRANTED** and that this case is **REMANDED** to the Circuit Court of Wilcox County, Alabama.

**DONE and ORDERED** this the **21<sup>st</sup>** day of **December 2011**.

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