

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

**MARTIE TOLBERT and
ANNIE TOLBERT,**

Plaintiffs,

v.

**WABASH NATIONAL
CORPORATION, et al.,**

Defendants.

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CIVIL ACTION NO. 11-0651-CG-B

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 July 16, 2012 (Doc. 80) is **ADOPTED** as the opinion of this Court. Plaintiffs' motion to withdraw objection (Doc. 79) is **GRANTED**, defendant Wabash National Corporation's alternative motion to transfer jurisdiction is **GRANTED**. Therefore, this action is hereby transferred to the United States District Court for the Northern District of New York.

DONE and ORDERED this 31st day of July, 2012.

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