

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

<b>LESTER EDWARDS, as the</b>	)	
<b>Administrator of the Estate of</b>	)	
<b>Christine Johnson,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>vs.</b>	)	<b>CIVIL ACTION NO. 12-0160-CG-B</b>
	)	
<b>G. A. BRAUN, INC., <u>et al.</u>,</b>	)	
	)	
<b>Defendants.</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 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 Plaintiff’s Motion to Remand (Doc. 43) is hereby **GRANTED**, Plaintiff’s request for attorney’s fees is **DENIED**, and that Defendant Stiles’ Motion to Dismiss (Doc. 7) and Plaintiff’s Motion for Leave to Amend (Doc. 23) are deemed to be **MOOT**.

The clerk of court is directed to take such steps as are necessary to transfer this action to the Circuit Court of Dallas County, Alabama from whence it was removed.

**DONE and ORDERED** this 21st day of February, 2013.

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