

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

DONALD VAIL, et al.,)	
Plaintiffs,)	
)	
v.)	CIVIL ACTION NO. 13-00277-KD-N
)	
SMARTERFUEL SOUTH, LLC, et al.,)	
Defendants.)	

ORDER

After due and proper consideration the issues raised, and there having been no objections filed, the Report and Recommendation (Doc. 18) of the Magistrate Judge made under 28 U.S.C. § 636(b)(1)(B) and dated September 9, 2013, is **ADOPTED** as the opinion of this Court. Accordingly, it is **ORDERED** that the Plaintiffs’ Motion to Remand (Doc. 10) is **GRANTED** and that this case be **REMANDED** to the Circuit Court of Marengo County, Alabama, from whence it came.

DONE and ORDERED this the **25th** day of **September 2013**.

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