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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

MICHAEL LEON,
Plaintiff,
vs.
SECURAPLANE TECHNOLOGIES,
INC., *et al.*,
Defendants.

No. CIV 09-390-TUC-CKJ (JCG)

ORDER

On August 27, 2009, Magistrate Judge Jennifer C. Guerin issued a Report and Recommendation [Doc. # 11] in which she recommended that Plaintiff’s Motion to Remand [Doc. # 5] be granted and Defendants’ Motion to Dismiss and Motion to Strike [Doc. # 4] be dismissed as moot. The magistrate judge advised the parties that written objections to the Report and Recommendation were to be filed within ten days of service of a copy of the Report and Recommendation pursuant to 28 U.S.C. § 636(b). No objections have been filed.

Accordingly, after an independent review, IT IS ORDERED:

1. The Report and Recommendation [Doc. # 11] is ADOPTED.
2. Plaintiff’s Motion to Remand [Doc. # 5] is GRANTED.
3. Defendants’ Motion to Dismiss and Motion to Strike [Doc. # 4] are DENIED

AS MOOT.

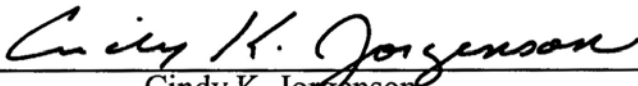
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4. This matter is REMANDED to the Pima County Superior Court (Cause # C20091791);

5. The Clerk of the Court shall mail a certified copy of this Order to the Clerk of the Pima County Superior Court; and

6. The Clerk of the Court shall then close its file in this matter.

DATED this 17th day of September, 2009.



Cindy K. Jorgenson
United States District Judge