

**IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF FLORIDA
PENSACOLA DIVISION**

MARY HAMEL-SCHWULST,
Plaintiff,

vs.

Case No. 3:08cv529/MCR/EMT

JEFFEREY P. NEGROTTTO, et al.,
Defendants.

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ORDER

This cause comes on for consideration upon the magistrate judge's Report and Recommendation dated January 8, 2010. (Doc. 157). The parties have been furnished a copy of the Report and Recommendation and have been afforded an opportunity to file objections pursuant to Title 28, United States Code, Section 636(b)(1). I have made a de novo determination of any timely filed objections.

Having considered the Report and Recommendation, and any objections thereto timely filed, I have determined that the Report and Recommendation should be adopted.

Accordingly, it is now **ORDERED** as follows:

1. The magistrate judge's Report and Recommendation is adopted and incorporated by reference in this order.

2. Defendant MERS' "Amended Motion to Dismiss under Fed. R. Civ. P. 12(b)(3) and (6) or Alternatively Motion to Transfer Venue Under 28 U.S.C. § 1406(a) and Supporting Memorandum" (doc. 138) and Defendants Universal Surety of America and The Continental Insurance Company's "Motion to Dismiss Plaintiff's Third Amended Complaint or Alternatively Motion to Transfer Venue" (doc. 145) are **GRANTED** to the extent Defendants seek transfer of this action to the United States District Court for the Southern District of Mississippi.

3. The clerk shall forthwith **TRANSFER** this case to the United States District Court for the Southern District of Mississippi.

4. The clerk shall close this case.

DONE AND ORDERED this 11th day of February, 2010.

s/ M. Casey Rodgers

**M. CASEY RODGERS
UNITED STATES DISTRICT JUDGE**