

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

EARL B. DEAN,

Plaintiff,

v.

3:09cv234-WS

AT&T and NUVOX,

Defendants.

ORDER OF DISMISSAL

Before the court are the magistrate judge's reports and recommendations (docs. 15 & 17) docketed August 15 and 17, 2009. The magistrate judge recommends that (1) Defendant NUVOX be dismissed with prejudice pursuant to a stipulation of dismissal signed by the plaintiff and defendant NUVOX; and (2) Defendant AT&T be dismissed without prejudice pursuant to the plaintiff's request to voluntarily dismiss AT&T. There being no objections to the reports and recommendations, it is ORDERED:

1. The magistrate judge's reports and recommendations (docs. 15 & 17) are ADOPTED and incorporated by reference in this order.

2. Defendant NUVOX is DISMISSED WITH PREJUDICE consistent with the parties' stipulation (doc. 10).

3. The plaintiff's request (doc. 16) for voluntary dismissal of AT&T is GRANTED.

4. Defendant AT&T is DISMISSED without prejudice pursuant to the plaintiff's request.

5. The clerk shall enter judgment of dismissal accordingly.

DONE AND ORDERED this 9th day of September, 2009.

s/ William Stafford _____
WILLIAM STAFFORD
SENIOR UNITED STATES DISTRICT JUDGE