

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA
FILED
U.S. DIST. COURT
MIDDLE DISTRICT OF LA
2009 FEB 17 P 2 43

DIEZ OIL COMPANY, INC.

VERSUS

MOBIL OIL CORPORATION

CIVIL ACTION
BY DEBRA S. CLARK

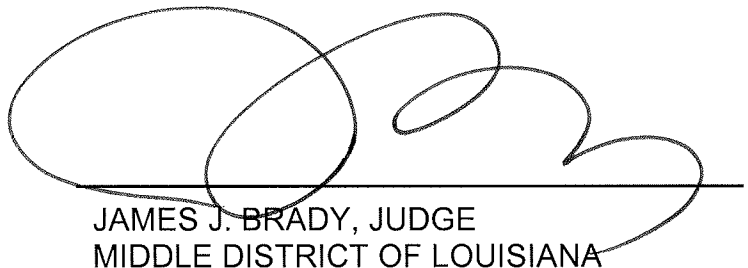
NO. 08-316-JJB-SCR

RULING

The court has carefully considered the petition, the record, the law applicable to this action, and the Report and Recommendation of United States Magistrate Judge Stephen C. Riedlinger, dated January 26, 2009 (doc. no. 14) to which no objection was filed.

The court hereby approves the report and recommendation of the magistrate judge and adopts it as the court's opinion herein. Accordingly, the plaintiff's Motion for Dismissal and Remand Pursuant to Fed. Rule of Civ. Pro. 12(b)(1), considered solely as a motion to remand, is DENIED.

Baton Rouge, Louisiana this 17th day of February, 2009.


JAMES J. BRADY, JUDGE
MIDDLE DISTRICT OF LOUISIANA