

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF LOUISIANA

KERN A. REESE, ET AL

CIVIL ACTION

VERSUS

NO. 09-312-JJB

ICF EMERGENCY MANAGEMENT  
SERVICES, INC., L.L.C.

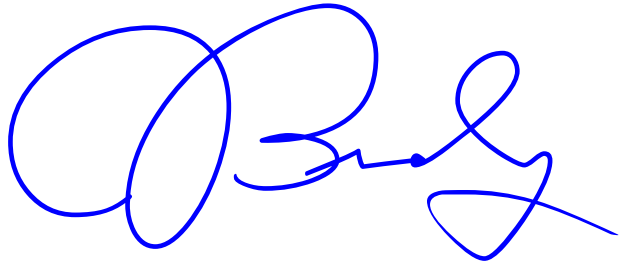
**RULING**

The Court has carefully considered the motion, the record, the law applicable to this action, and the Report and Recommendation of United States Magistrate Judge Christine Noland, dated November 6, 2009 (doc. 29). Plaintiffs have filed an objection, which the Court has considered in conducting a *de novo* review of the record.

The Court finds that the magistrate judge's findings of fact and conclusions of law are all clearly correct and that there is no need to further address Plaintiff's arguments. Specifically, the Court finds that the magistrate judge appropriately pierced the pleadings in undertaking a summary inquiry. See *Smallwood v. Illinois Cent. R. Co.*, 385 F.3d 568, 573 (5th Cir. 2004). Based on this limited inquiry, the magistrate judge found, and the Court agrees that Plaintiffs have no reasonable basis of recovery against the in-state defendants. Thus, the Court hereby approves the report and recommendation of the magistrate judge and adopts it as the Court's opinion herein. Accordingly,

IT IS ORDERED that Plaintiff's motion for remand to state court (doc. 22) is DENIED.

Baton Rouge, Louisiana, this 2nd day of February, 2010.

A handwritten signature in blue ink, appearing to read 'J. Brady', is written above a horizontal line.

JAMES J. BRADY, JUDGE  
MIDDLE DISTRICT OF LOUISIANA