

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF LOUISIANA

DONNIE DELATTE

VERSUS

NEFF RENTAL, INC.

CIVIL ACTION

NO. 09-380-C


**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 Docia L. Dalby dated December 9, 2009. Defendant has filed an objection which the court has considered.

The court hereby approves the report and recommendation of the magistrate judge and adopts it as the court's opinion herein.

Accordingly, plaintiff's motion to remand will be granted, and this matter will be remanded to the 21st Judicial District Court, Parish of Livingston, State of Louisiana. The plaintiff's request for costs and expenses, including attorney's fees is denied.

Baton Rouge, Louisiana, January 29, 2010.

  
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RALPH E. TYSON, CHIEF JUDGE  
MIDDLE DISTRICT OF LOUISIANA