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WESTERN DISTRICT OF LOUISIANA  
ALEXANDRIA, LOUISIANA

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
ALEXANDRIA DIVISION

CLIFFORD WAYNE CLARK, JR. et al. CIVIL ACTION NO. 13-2336

VERSUS

JUDGE DEE D. DRELL

DOLGENCORP, LLC, et al.

MAGISTRATE JUDGE JAMES D. KIRK

J U D G M E N T

For the reasons contained in the Report and Recommendation of the Magistrate Judge previously filed herein, and after independent (de novo) review of the record including the objections filed herein, and having determined that the findings and recommendations are correct under the applicable law;

IT IS HEREBY ORDERED that the motion to remand (Doc. 6) is GRANTED.

IT IS FURTHER ORDERED that the matter is REMANDED to the 9<sup>th</sup> Judicial District Court, Parish of Rapides, State of Louisiana.

IT IS FURTHER ORDERED attorneys fees and costs are not imposed.

In so ruling we note with particularity and interest that the multiple factual materials filed with Dolgencorp's objections (Doc. No. 17) illustrate exactly the problem raised by the Magistrate Judge in his Report and Recommendation. Dolgencorp would have us try the merits of the case, including factual findings on negligence and actual liability on this removal question. That we

cannot properly do. The Magistrate Judge's reconsideration is correct.

THUS DONE AND SIGNED at Alexandria, Louisiana on this 3RD day of February, 2014.



DEE D. DRELL, CHIEF JUDGE  
UNITED STATES DISTRICT COURT