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**UNITED STATES DISTRICT COURT**
**EASTERN DISTRICT OF TEXAS**


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CHARLES G. NOWAK  
and CARRIZAL SAM SANTOS,

Plaintiffs,

*versus*

AMERICAN WEST AIRLINES, ET AL.

Defendants.

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CIVIL ACTION NO. 1:08-CV-613

**ORDER ADOPTING MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION**

The court referred this matter to the Honorable Earl S. Hines, United States Magistrate Judge, for pretrial proceedings pursuant to General Order 05-07 entered on October 21, 2008. The court has received and considered the report of the United States magistrate judge, who recommends that the court dismiss, without prejudice, the plaintiffs' case for lack of subject matter jurisdiction. No objections to the report and recommendation have been filed. Further, the court's independent review confirms that the magistrate judge's analysis is correct.

The magistrate judge's report is hereby **ADOPTED**. Final Judgment will be entered separately. The purpose of the referral having been served, it is further

**ORDERED** that the reference to the magistrate judge is **VACATED**.

SIGNED at Sherman, Texas, this 18th day of November, 2008.




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MARCIA A. CRONE  
UNITED STATES DISTRICT JUDGE