

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

JULIE K. HUTCHINGS, ET AL.

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v.

Case No. 2:13-CV-246-JRG-RSP

UNITED PARCEL SERVICE, INC., ET
AL.

ORDER

Currently before the Court is the Report and Recommendation signed by Magistrate Judge Roy Payne on June 4, 2014 (Dkt. No. 197) recommending that that the Defendants' Motion to Dismiss (Dkt. No. 113) be denied to the extent it seeks dismissal of the wrongful death claims.

Having reviewed the record and finding no meritorious objections, the Recommendation is adopted. Accordingly, IT IS ORDERED that Defendants' Motion to Dismiss (Dkt. 113) is **DENIED** to the extent it seeks dismissal of the wrongful death claims.

So ORDERED and SIGNED this 5th day of June, 2014.



RODNEY GILSTRAP
UNITED STATES DISTRICT JUDGE