

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

ALLSTATE INSURANCE COMPANY,  
ET AL.

Plaintiffs,

VS.

MICHAEL KENT PLAMBECK, D.C.,  
ET AL.

Defendants.

§  
§  
§  
§  
§  
§  
§  
§  
§  
§

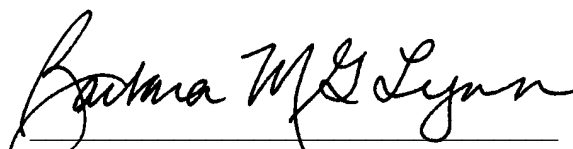
NO. 3-08-CV-0388-M

**ORDER ACCEPTING FINDINGS AND RECOMMENDATION  
OF THE UNITED STATES MAGISTRATE JUDGE**

After making an independent review of the pleadings, files and records in this case, and the Findings and Recommendation of the United States Magistrate Judge dated January 30, 2009, the Court finds that the Findings and Recommendation of the Magistrate Judge are correct and they are accepted as the Findings and Recommendation of the Court.

**IT IS, THEREFORE, ORDERED** that the Findings and Recommendation of the United States Magistrate Judge are accepted. The Rule 12(b)(2) and Rule 12(b)(3) motion to dismiss filed by Defendants Thomas Magelaner and Magelaner & Associates, Ltd. [Doc. #56], and the Rule 12(b)(7) motions to dismiss filed by the Chiropractic Defendants and Defendant Rainbow Marketing Consultants, Inc. [Docs. #51, 79] are denied.

**SO ORDERED** this 11<sup>th</sup> day of February, 2009.



BARBARA M. G. LYNN  
UNITED STATES DISTRICT JUDGE  
NORTHERN DISTRICT OF TEXAS