

2016 WL 917947

Only the Westlaw citation is currently available.
United States District Court,
S.D. Alabama, Southern Division.

Michael Keshock, et al, Plaintiff,
v.

Metabowerke GMBH, et al., Defendants.

CIVIL ACTION NO. 15-0345-CG-N

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Signed 03/09/2016

Attorneys and Law Firms

James Brian Duncan, Jr., David G. Wirtes, Jr., William Earl Bonner, Cunningham Bounds, LLC, Mobile, AL, for Plaintiffs.

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ORDER

Callie V. S. Granade, SENIOR UNITED STATES DISTRICT JUDGE

*1 This matter is before the Court on the Report and Recommendation (R&R) of the Magistrate Judge (Doc. 36), Metabo Defendants' Objection to the R&R and Memorandum in support (Docs. 37, 41), Plaintiffs' Response to the Objection and Cross-Objections to the R&R (Doc. 38), Defendants Perciavalle, Bell and Blankenfeld's Motion to Strike Plaintiffs' Cross-Objections (Doc. 39), Plaintiffs' Response in Opposition to the Motion to Strike (Doc. 40), Metabo Defendants' Motion to Strike Plaintiffs' Cross-Objection (Doc. 42), and Metabo Defendants' Response to Plaintiffs' Cross-Objection (Doc. 43).

After due and proper consideration of the issues raised, the Court finds that Plaintiffs' Cross-Objections to the R&R are due to be stricken as untimely, and hereby **GRANTS** the motions to strike (Docs. 39 & 42). Further, upon a de novo consideration of those portions of the recommendation to which objection is made, the recommendation of the Magistrate Judge made under **28 U.S.C. § 636(b)(1)(B)** and dated September 25, 2015, is **ADOPTED** as the opinion of this Court. The Plaintiffs' Motion to Remand (Doc. 14) is **GRANTED**, and as such, this case is **REMANDED** to the Circuit Court of Mobile, County, Alabama, from whence it came.

DONE and ORDERED this 9th day of March, 2016.

All Citations

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