

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION

THE MOBILE WASHINGTON (MOWA) :  
BAND OF THE CHOCTAW INDIAN :  
TRIBE, *et al.*, :

Plaintiffs, :

vs. : CIVIL ACTION 08-00413-WS-B

SUNBELT RESOURCES, INC., :  
*et al.*, :

Defendants/Third Party Plaintiffs, :

vs. :

CINCINNATI INSURANCE CO., :

Third Party Defendant. :

**ORDER**

After due and proper consideration of all portions of this file deemed relevant to the issues raised, and there having been no objections filed, the Report and Recommendation of the Magistrate Judge made under 28 U.S.C. §636(b)(1)(B) is **ADOPTED** as the opinion of this Court. It is **ORDERED** that Third Party Defendant Cincinnati Insurance Co.'s Motion to Sever and Remand be **DENIED**, that Plaintiffs and Defendants/ Third Party Plaintiffs' Motions to Remand be **GRANTED**, and that this case be **REMANDED** to the Circuit Court of Mobile County.

**DONE** and **ORDERED** this 5th day of January, 2009.

s/WILLIAM H. STEELE  
UNITED STATES DISTRICT JUDGE