

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

JASON MICHAEL MOORE, et al., )  
Plaintiffs, )  
v. ) Case No. 2:09-cv-1869-JEO  
LIBERTY TRUCK SALES, INC. )  
Defendant. )

## MEMORANDUM OPINION

This case involves claims under the Americans With Disabilities Act, the Age Discrimination in Employment Act, and the Family and Medical Leave Act. The defendant has filed a motion to dismiss the plaintiff's complaint. (Doc. 5). On December 3, 2009, the magistrate judge assigned this case entered a report and recommendation, finding that the motion to dismiss was due to be denied. (Doc. 12). No objections to the report and recommendation have been filed.

The court has considered the entire file in this action together with the magistrate judge's Report and Recommendation and has reached an independent conclusion that the magistrate judge's Report and Recommendation is due to be adopted and approved. Accordingly, the court hereby **ADOPTS** and **APPROVES** the findings and recommendation of the magistrate judge as the findings and conclusions of the court. In accordance with the recommendation, the defendant's motion to dismiss (doc. 5) is due to be denied. An appropriate order will be entered.

**DONE**, this 4th day of January, 2010.

Sharon Lovelace Blackburn

SHARON LOVELACE BLACKBURN  
CHIEF UNITED STATES DISTRICT JUDGE