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5 Replace lines 267 through 276 on page 10 with the  
6 following:

7 (a) The grant or denial of a motion to dismiss or  
8 motion for judgment as a matter of law, including a  
9 motion for summary judgment, based on the immunity  
10 provided under Section 6-5-338.2, or any action  
11 improperly allowing or disallowing discovery, shall be  
12 immediately appealable on an interlocutory basis to the  
13 Alabama Supreme Court. Any appeal pursuant to this  
14 subsection shall be filed pursuant to the Alabama Rules  
15 of Appellate Procedure.

16 (b) The filing of an appeal under this section