

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

**AUTO-OWNERS INSURANCE
COMPANY,**

Plaintiff,

v.

**RANDY B. TERRY, INC.; RANDY B.
TERRY,**

Defendants.

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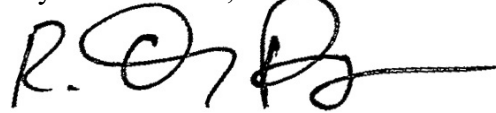
Case No. 5:12-CV-02717-TMP

MEMORANDUM OPINION

On November 6, 2013, the Magistrate Judge filed his Report and Recommendation in this matter recommending that the court enter a default preliminary injunction to (1) require Defendants to deposit with the Clerk of Court the sum of \$263,000 as a security deposit against the sums to which Auto-Owners will be entitled for indemnification; (2) require Defendants to immediately allow Plaintiff access to, and make available, all records, accounts, and documents relevant to Defendants' business and the contract with the Lawrence County Commission; and (3) prohibiting Defendants from selling, leasing, liening, encumbering, damaging, destroying, or otherwise dissipating or disposing of Defendants' equipment, inventory, accounts, intangibles, and other assets pending entry of a final judgment in this action. (Doc. # 15). Although objections to the Report and Recommendation were due to be filed by November 20, 2013, no objections were filed. *See* Fed. R. Civ. P. 72(b).

Having now carefully reviewed and considered *de novo* all of the materials in the court file,¹ including the Report and Recommendation, the court is of the opinion that the Report is due to be, and hereby is, **ADOPTED**, and the Recommendation is **ACCEPTED**. A separate order will be entered.

DONE and ORDERED this 16th day of December, 2013



R. DAVID PROCTOR
UNITED STATES DISTRICT JUDGE

¹ The court notes that it was not required to conduct an independent review of the Report and Recommendation in this case because no party has filed objections. Fed. R. Civ. P. 72(b); *Thomas v. Arn*, 474 U.S. 140, 150 (1985) (“It does not appear that Congress intended to require district court review of a magistrate’s factual or legal conclusions, under a *de novo* or any other standard, when neither party objects to those findings.”). Nevertheless, the court has reviewed the Magistrate’s Report and agrees with his conclusions.