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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

Albert Walter Kouba)	No. CV 10-159-TUC-FRZ (GEE)
Plaintiff,)	ORDER
vs.)	
Renzenberger, Inc. , et al.,)	
Defendants.)	

Pending before the Court is a Report and Recommendation issued by United States Magistrate Judge Glenda E. Edmonds that recommends granting a motion to dismiss (Doc. 6) filed by Defendants William M. Smith, Phil Simco, and Karen M. Seiter for lack of personal jurisdiction. A review of the record reflects that the parties have not filed any objections to the Report and Recommendation and the time to file objections has expired.

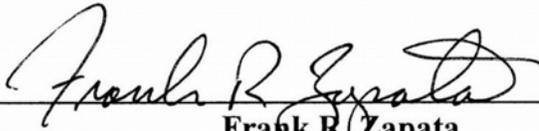
The Court has reviewed the record and concludes that Magistrate Judge Edmonds' recommendations are not clearly erroneous. *See* 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72; *Johnson v. Zema Systems Corp.*, 170 F.3d 734, 739 (7th Cir. 1999); *Conley v. Crabtree*, 14 F. Supp. 2d 1203, 1204 (D. Or. 1998).

Accordingly, IT IS HEREBY ORDERED as follows:
(1) Magistrate Judge Edmonds' Report and Recommendation (Doc. 19) is accepted and adopted.

1 (2) The motion to dismiss (Doc. 6) is granted; Defendants William M. Smith, Phil Simco,
2 and Karen M. Seiter are dismissed from this case for lack of personal jurisdiction.

3 (3) **As pretrial proceedings remain in this case, the referral to Magistrate Judge**
4 **Edmonds remains in effect; the remaining parties shall continue to list the caption as:**
5 **CV 10-159-TUC-FRZ (GEE).**

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7 DATED this 16th day of December, 2010.

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11 **Frank R. Zapata**
12 **Senior United States District Judge**
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