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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

Maryland Casualty Company,
Plaintiff,

v.

Angelo's Pizza and Gyros LLC, et al.,
Defendants.

No. CV-14-02308-TUC-RM (BGM)

ORDER

Pending before the Court is Plaintiff Maryland Casualty Company's Motion for Summary Judgment (Doc. 33). On October 2, 2015, Magistrate Judge Bruce G. Macdonald issued a Report and Recommendation (Doc. 45) recommending that this Court grant Plaintiff's Motion for Summary Judgment. No objections to the Report and Recommendation were filed.

A district judge must "make a de novo determination of those portions" of a magistrate judge's "report or specified proposed findings or recommendations to which objection is made." 28 U.S.C. § 636(b)(1)(C). The advisory committee notes to Rule 72(b) of the Federal Rules of Civil Procedure state that, "[w]hen no timely objection is filed, the court need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation" of a magistrate judge. *See also Prior v. Ryan*, 2012 WL 1344286, at *1 (D. Ariz. Apr. 18, 2012) (reviewing for clear error unobjected-to portions of Report and Recommendation); *Johnson v. Zema Sys. Corp.*, 170 F.3d 734, 739 (7th Cir. 1999) ("If no objection or only partial objection is made, the district court

1 judge reviews those unobjected portions for clear error.”).

2 The Court has reviewed Judge Macdonald’s Report and Recommendation, the
3 parties’ briefs, and the record. The Court finds no error in Judge Macdonald’s Report
4 and Recommendation. Accordingly,

5 **IT IS ORDERED** that the Report and Recommendation (Doc. 45) is **accepted**
6 **and adopted.**

7 **IT IS FURTHER ORDERED** that Plaintiff’s Motion for Summary Judgment
8 (Doc. 33) is **granted**. The insurance policy at issue does not provide coverage for the
9 claims made in the underlying lawsuit, Pima County Superior Court case number C-
10 2013-3966, and Plaintiff Maryland Casualty Company is not obligated to defend or
11 indemnify Defendants Angelo’s Pizza and Gyros, LLC; Christian Scott Burton; Danny
12 Walsh; and Danny Walsh Enterprises, LLC in relation to that underlying lawsuit.

13 Dated this 4th day of January, 2016.

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18 Honorable Rosemary Marquez
19 United States District Judge
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