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

Simon Russell,

Plaintiff,

v.

Werner Enterprises Incorporated, et al.,

Defendants.

No. CV-14-02474-TUC-RM (EJM)

**ORDER**

On July 20, 2016, Magistrate Judge Eric J. Markovich issued a Report and Recommendation (Doc. 88) recommending that this Court grant Plaintiff's Motion to Consolidate (Doc. 55). 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). The advisory committee's 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. Fed. R. Civ. P. 72(b) advisory committee's note to 1983 addition. *See also 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 judge reviews those unobjected portions for clear error."); *Prior v. Ryan*, CV 10-225-TUC-RCC, 2012 WL 1344286, at \*1 (D. Ariz. Apr. 18, 2012) (reviewing for clear error unobjected-to portions of Report and Recommendation).

1           The Court has reviewed Judge Markovich's Report and Recommendation, the  
2 parties' briefs, and the record. The Court finds no error in Judge Markovich's Report and  
3 Recommendation. Accordingly,

4           **IT IS ORDERED** that the Report and Recommendation (Doc. 88) is **accepted**  
5 **and adopted in full.**

6           **IT IS FURTHER ORDERED** that Plaintiff's Motion to Consolidate (Doc. 55) is  
7 **granted.**

8           **IT IS FURTHER ORDERED** that the above-captioned case, *Russell v. Werner*  
9 *Enterprises*, CV 14-02474-TUC-RM(EJM), is **consolidated** with *Russell v. Flores*, CV  
10 16-00088-TUC-RM, for all further proceedings. All future filings shall be made in  
11 *Russell v. Werner Enterprises*, CV 14-02474-TUC-RM(EJM).

12           **IT IS FURTHER ORDERED** that this matter will continue to be referred to  
13 Magistrate Judge Eric J. Markovich for all pretrial proceedings and report and  
14 recommendation, in accordance with the provisions of 28 U.S.C. § 636(b)(1) and LRCiv  
15 72.1 and 72.2.

16           Dated this 12th day of August, 2016.

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Honorable Rosemary Marquez  
United States District Judge