

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
EL DORADO DIVISION

DAVID RUSSELL RODGERS AND
BENJAMIN D. BROOKS,
Individually and on behalf of all others
similarly situated

PLAINTIFFS

vs.

Civil No. 1:09-cv-01054

REMINGTON ARMS COMPANY, INC.

DEFENDANT

ORDER

Before the Court is the Report and Recommendation filed on August 20, 2010 by the Honorable Barry A. Bryant, United States Magistrate Judge for the Western District of Arkansas. (Doc. No. 26). Judge Bryant recommends Defendant's Motion to Dismiss (Doc. No. 9) be **DENIED** as moot. No objections have been filed to the Report and Recommendation, and the time to object has passed. *See* 28 U.S.C. § 636(b)(1).

The Court has reviewed this case, and being well and sufficiently advised, finds the Report and Recommendation is proper and should be adopted in its entirety. Accordingly, the Court hereby adopts the Report and Recommendation, and finds Defendant's Motion to Dismiss (Doc. No. 9) should be **DENIED** as moot.

ENTERED this 8th day of September, 2010.

/s/ Harry F. Barnes.
HON. HARRY F. BARNES
UNITED STATES DISTRICT JUDGE