

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
LEWIS T. BABCOCK, JUDGE**

Civil Case No. 06-cv-00759-LTB-CBS

MICHAEL WHITINGTON,

Plaintiff,

v.

ARISTEDES ZAVARAS,

Defendant.

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**ORDER**

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This case is before me on the recommendation of the Magistrate Judge issued and served on May 20, 2010 (Doc 263). Plaintiff has failed to file specific written objections to the Magistrate Judge's recommendation and is therefore barred from *de novo* review.

Accordingly, it is

ORDERED that the recommendation is accepted as follows:

1. Plaintiff's Motion for Temporary Restraining Order and Preliminary Injunction Pursuant to Rule 65(a) & 9b) Fed. R. Civ.P. (Doc 218) is DENIED;
2. Defendant's Motion for Summary Judgment (Doc 251) is GRANTED and judgment on the Third Amended Complaint shall enter in favor of Defendant Zavaras and against Plaintiff;

3. No further claims or Defendants remaining in the case, this action is DISMISSED.

BY THE COURT:

s/Lewis T. Babcock  
Lewis T. Babcock, Judge

DATED: June 18, 2010