

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
Judge Robert E. Blackburn**

Civil Case No. 08-cv-01815-REB-KMT

ANDREW R. SALDANA,

Plaintiff,

v.

ATLAS PACIFIC ENGINEERING COMPANY,

Defendant.

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**ORDER ADOPTING RECOMMENDATION OF THE  
UNITED STATES MAGISTRATE JUDGE**

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**Blackburn, J.**

The matter before me is the **Recommendation of United States Magistrate Judge** [#14] filed June 1, 2009. No objections having been filed to the recommendation, I review it only for plain error. *See Morales-Fernandez v. Immigration & Naturalization Service*, 418 F.3d 1116, 1122 (10<sup>th</sup> Cir. 2005). Finding no error – let alone plain error – in the magistrate judge’s recommended disposition, I find and conclude that the recommendation should be approved and adopted.


**THEREFORE, IT IS ORDERED** as follows:

1. That the magistrate judge’s recommendation contained in her **Recommendation and Order of United States Magistrate Judge** [#47] filed June 12, 2009, is **APPROVED AND ADOPTED** as an order of this court; and

2. That **Defendant's Motion To Dismiss Pursuant to Fed.R.Civ.P. 12(b)(6) or in the Alternative To Requires More Specific Pleading Pursuant to Fed.R.Civ.P. 10(b)** [#20] filed February 17, 2009, is **DENIED**.

Dated July 8, 2009, at Denver, Colorado.

**BY THE COURT:**

  
Robert E. Blackburn  
United States District Judge