

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

Civil Case No. 08-cv-01980-LTB-MJW

BENEFICIAL LIVING SYSTEMS, INC., a Colorado
non-profit corporation,

Plaintiff,

v.

AMERICAN CASUALTY COMPANY of Reading,
Pennsylvania, a Pennsylvania corporation,

Defendant.

ORDER

This case is before me on the recommendation of the Magistrate Judge issued and served on July 28, 2009 (Doc 35) regarding Defendant's Motion to Preclude Plaintiff's Expert Witness, Richard Hodges (Doc 30). Plaintiff and Defendant have 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 and Defendant's Motion to Preclude Plaintiff's Expert Witness, Richard Hodges (Doc 30) is GRANTED and the expert testimony of Richard Hodges is STRICKEN.

BY THE COURT:

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

DATED: August 17, 2009