

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
Judge Christine M. Arguello**

Civil Action No. 09-cv-00704-CMA-KMT

LAUREN P. ANDERSON, and  
WILLIAM W. ANDERSON, III,

Plaintiffs,

v.

HCA-HEALTHONE LLC, a Colorado limited liability company,  
d/b/a THE MEDICAL CENTER OF AURORA,  
DAVID C. VAN PELT, M.D.,  
BROOKS W. LONG, M.D.,  
CRITICAL CARE & PULMONARY CONSULTANTS, P.C.,  
a Colorado professional corporation,  
CHRISTOPHER G. MCLAUGHLIN, M.D., and  
SALLIE B. CLARK, M.D.,

Defendants.

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**ORDER ADOPTING AND AFFIRMING NOVEMBER 3, 2009  
RECOMMENDATION OF UNITED STATES MAGISTRATE JUDGE**

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This matter is before the Court on the November 3, 2009 Recommendation by the Magistrate Judge regarding "Plaintiff's Third Motion for Leave to Join Additional Party Defendant and to Amend Complaint." (Doc. # 80.) The Recommendation is incorporated herein by reference. See 28 U.S.C. § 636(b)(1)(B), Fed. R. Civ. P. 72(b).

The Recommendation advised the parties that specific written objections were due within ten (10) days after being served with a copy of the Recommendation. (Doc. # 92 at 11-13.) Despite this advisement, no objections to the Magistrate Judge's Recommendation were filed by either party. "In the absence of timely objection, the

district court may review a magistrate . . . [judge's] report under any standard it deems appropriate." *Summers v. Utah*, 927 F.2d 1165, 1167 (10th Cir.1991) (citing *Thomas v. Arn*, 474 U.S. 140, 150 (1985) (stating that "[i]t does not appear that Congress intended to require district court review of a magistrate's factual or legal conclusions, under a de novo or any other standard, when neither party objects to those findings").

Nonetheless, though not required to do so, the Court reviews the Recommendation to "satisfy itself that there is no clear error on the face of the record." See Fed. R. Civ. P. 72(b) Advisory Committee Notes.

Applying this standard, the Court is satisfied that the Recommendation of the Magistrate Judge is sound and that there is no clear error on the face of the record. See Fed. R. Civ. P. 72(a).

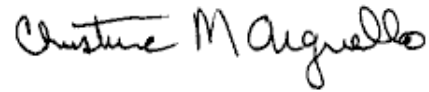
Accordingly, it is hereby ORDERED that the Recommendation of the United States Magistrate Judge (Doc. # 92), filed November 3, 2009, is ACCEPTED, and, for the reasons cited therein, "Plaintiff's Third Motion for Leave to Join Additional Party Defendant and to Amend Complaint" (Doc. # 80) is GRANTED IN PART, and DENIED IN PART as follows:

- 1) The Motion is DENIED insofar as it seeks to add Dr. Todd W. Clover, M.D. as a defendant;
- 2) The Motion is GRANTED in all other respects;

- 3) The Plaintiffs are required to file an Amended Complaint consistent with the Recommendation of the Magistrate Judge within ten (10) days of entry of this Order.

DATED: January 25, 2010

BY THE COURT:



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CHRISTINE M. ARGUELLO  
United States District Judge