

UNITED STATES DISTRICT COURT
DISTRICT OF COLORADO

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GRANITE SOUTHLANDS
TOWN CENTER,

Plaintiff,

09 CV 799 (SJ) (KLM)

-against-

**ORDER ADOPTING
REPORT AND
RECOMMENDATION**

ALBERTA TOWN CENTER, LLC,
LAND TITLE GUARANTEE COMPANY,
PETER M. CUDLIP, and
DONALD G. PROVOST,

Defendants.

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A P P E A R A N C E S

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JOHNSON, Senior District Judge:

Presently before the Court is a Report and Recommendation (“Report”) prepared by Magistrate Judge Kristen L. Mix. Judge Mix issued the Report on January 25, 2012, and provided the parties with the requisite amount of time to file any objections. Neither party filed any objections to the Report. For the reasons stated herein, this Court affirms and adopts the Report in its entirety.

A district court judge may designate a magistrate judge to hear and determine certain motions pending before the Court and to submit to the Court proposed findings of fact and a recommendation as to the disposition of the motion. See 28 U.S.C. § 636(b)(1). Within 10 days of service of the recommendation, any party may file written objections to the magistrate’s report. See id. Upon *de novo* review of those portions of the record to which objections were made, the district court judge may affirm or reject the recommendations. See id. The Court is not required to review, under a *de novo* or any other standard, the factual or legal conclusions of the magistrate judge as to those portions of the report and recommendation to which no objections are addressed. See Thomas v. Arn, 474 U.S. 140, 150 (1985). In addition, failure to file timely objections may waive the right to appeal this Court’s Order. See 28 U.S.C. § 636(b)(1); Small v. Sec’y of Health and Human Servs., 892 F.2d 15, 16 (2d Cir. 1989).

In this case, there have been no objections to the Report. Upon review of the recommendations, this Court adopts and affirms Magistrate Judge Mix's Report in its entirety.

SO ORDERED.

Dated: March 13, 2013
Brooklyn, NY

_____/s/_____
Senior United States District Judge