IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLORADO Judge John L. Kane

Civil Action No. 09-cv-916-JLK-LTM

MOUNTAIN PORT, LLC, a Colorado limited liability company,

Plaintiff /Counterclaim Defendant,

v.

BRIAN DALEY and MARIA CHEDID, individuals

Defendants/Counter Claimants.

ORDER

Kane, J.

No objection having been filed, the Recommendation of U.S. Magistrate Judge (Doc.

42) is ACCEPTED and ADOPTED as an Order of the Court. This matter is REMANDED

to the Colorado State District Court for LaPlata County.

Dated: September 21, 2009

BY THE COURT:

<u>S/John L. Kane</u> JOHN L. KANE, SENIOR JUDGE UNITED STATES DISTRICT COURT