

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Senior Judge Zita Leeson Weinshienk

Civil Action No. 10-cv-00062-ZLW-KLM

DAVID MAGRUDER, CPA, CVA,

Plaintiff,

v.

ANDREW KURITZ,
JACOB ROBERTS, and
ERIC JOHNSON,

Defendants.

ORDER

The matter before the Court is Defendants' Motion to Dismiss Complaint (Doc. No. 18). This motion was referred to Magistrate Judge Kristen L. Mix pursuant to D.C.COLO.LCivR 72.1C. On August 10, 2010, the Magistrate Judge issued her Recommendation that the motion be denied.¹ No party filed objections to the Recommendation.

Having reviewed the record and the Recommendation, the Court is satisfied "that there is no clear error on the face of the record."² Accordingly, the Court accepts and adopts the Recommendation in its entirety, and it is

¹Doc. No. 54.

²See Fed. R. Civ. P. 72(b) advisory committee's note; Summer v. Utah, 927 F.2d 1165, 1167 (10th Cir. 1991); Thomas v. Arn, 474 U.S. 140, 150 (1985).

ORDERED that Defendants' Motion to Dismiss Complaint (Doc. No. 18; Mar. 16, 2010) is denied.

DATED at Denver, Colorado, this 1st day of September, 2010.

BY THE COURT:

A handwritten signature in blue ink, reading "Zita Leeson Weinsienk". The signature is written in a cursive style with a blue ink color.

ZITA LEESON WEINSHIENK, Senior Judge
United States District Court