

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
Judge William J. Martínez**

Civil Action No. 11-cv-2888-WJM-MJW

LISA STRANSKY,  
NATALIE FIORE,  
ERIN PEREZ,  
HELEN GEIST,  
ANGELA VANLENGEN,  
BROOKE THOMPSON,  
MILDRED HAMILTON, and  
NICOLE WAGNER,  
individually and on behalf of others similarly situated,

Plaintiffs,

v.

HEALTHONE OF DENVER, INC.

Defendant.

and

Civil Action No. 14-cv-0042-WJM-MJW

MILDRED BROOKS,  
HAYKE CAPERTON,  
JASON CAPERTON,  
JENNIFER CAYLOR,  
ANGELA ELLIOTT,  
JAMES FARQUHAR,  
CATHY GORDON,  
MICHELLE LUGO,  
KATHY OKAMATSU,  
ANN MARIE UWANDU, and  
SALLY ANN WARDLE,

Plaintiffs,

v.

HEALTHONE OF DENVER, INC.,

Defendant.

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**ORDER ADOPTING DECEMBER 19, 2014 RECOMMENDATION OF MAGISTRATE  
JUDGE, AND DISMISSING CERTAIN OPT-IN PLAINTIFFS  
FOR FAILURE TO PROSECUTE, APPEAR, AND COMPLY WITH COURT ORDERS**

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This matter is before the Court on the December 19, 2014 Recommendation of United States Magistrate Judge Michael J. Watanabe (the “Recommendation”) (ECF No. 298) Dismissing Certain Opt-In Plaintiffs for Failure to Prosecute, Appear, and Comply with Court Orders . 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 fourteen days after being served with a copy of the Recommendation.<sup>1</sup> (ECF No. 298, at 5.) Despite this advisement, no objections to the Magistrate Judge’s Recommendation have to date been received.

The Court concludes that the Magistrate Judge’s analysis was thorough and sound, and that there is no clear error on the face of the record. See Fed. R. Civ. P. 72(b) advisory committee’s note (“When no timely objection is filed, the court need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.”); see also *Summers v. Utah*, 927 F.2d 1165, 1167 (10th Cir. 1991) (“In the absence of timely objection, the district court may review a magistrate’s report under any standard it deems appropriate.”).

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<sup>1</sup> The Court’s internal records confirm that the Recommendation was electronically mailed to counsel for both parties.

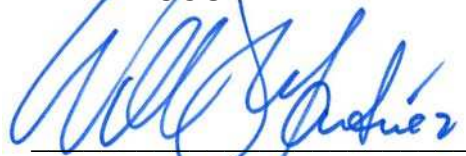
In accordance with the foregoing, the Court ORDERS as follows:

- (1) The Magistrate Judge's Recommendation (ECF No. 298) is ADOPTED in its entirety; and
- (2) The following Opt-In Plaintiffs are hereby DISMISSED pursuant to Fed. R. Civ. P. 16(f) and/or 41(b) and D.C. COLO.LCivR 41.1:

Melanie Armijo, Nancy Betzen, Kathleen Burke, Debra Coaty, Donald Ederer, Cindy Hang, Kristi Lambert, Bernadette Lujan, Tammy Mahoney, Erish Major, Jr., Shawna Redman, Sarah Smith, Phylis Solnick, Lysandra Ybarra, Jacqueline Zelaya, Jay Abbit, Robert Armijo, Dan Decker, Tricia Duran, Cherry Fiano, Lisa Galbraith, Dixie Garden, Tiffany Greenwald, Sarah Johnson, Joyce Jones, Tina Nelson, Dawn Norlund, Raquel Rodriguez, Loretta Sanders, Ana Schubert, Christopher Sheeder, Jason Sweasy, Ann Marie Uwandu, Calvin West, Alton Williams, and Brenda Young.

Dated this 12<sup>th</sup> day of January, 2015.

BY THE COURT:



William J. Martínez  
United States District Judge