

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Judge Robert E. Blackburn**

Civil Action No. 12-cv-02410-REB-KMT

ERIC BUCHANNAN, as Guardian for T.B., a Minor,

Plaintiff,

v.

DIVERSIFIED CONSULTANTS, INC.,

Defendant.

**ORDER ADOPTING RECOMMENDATION OF
UNITED STATES MAGISTRATE JUDGE**

Blackburn, J.

This matter is before me on the following: (1) the **Agreed Petition for the Court's Approval of the Parties' Settlement of the Minor's FDCPA and TCPA Claims** [#41]¹ filed January 17, 2014; and (2) the **Recommendation of United States Magistrate Judge** [#49] filed May 8, 2014. Because no objection to the recommendation was filed, I review the recommendation only for plain error. **See *Morales-Fernandez v. Immigration & Naturalization Service***, 418 F.3d 1116, 1122 (10th Cir. 2005). Finding no error, much less plain error, in the recommendation of the magistrate judge, I approve and adopt the recommendation as an order of this court and grant the petition [#41].

The plaintiff, Eric Buchanan, as Guardian for T.B., a minor, asserts claims for violations of the Fair Debt Collections Act (FDCPA), 15 U.S.C. § 1692 et seq., and the

¹ “[#41]” is an example of the convention I use to identify the docket number assigned to a specific paper by the court's case management and electronic case filing system (CM/ECF). I use this convention throughout this order.

Telephone Consumer Protection Act (TCPA), 47 U.S.C. § 227, et seq. The claims of the plaintiff are based on allegations that defendant placed a number of phone calls to T.B.'s cell phone regarding a debt owed not by T.B. or Mr. Buchanan, but which was instead owed by an unrelated third-party. The parties have agreed to a settlement of the claims of Mr. Buchanan. Because T.B. is a minor, the parties ask the court to review and approve the settlement in an effort to safeguard the interests of T.B. For the reasons detailed by the magistrate judge, I agree with the conclusion that the settlement agreement is fair and reasonable to and in the best interests of T.B. and thus should be approved by the court.

THEREFORE, IT IS ORDERED as follows:

1. That the **Recommendation of United States Magistrate Judge** [#49] filed May 8, 2014, is **APPROVED** and **ADOPTED** as an order of this court; and

2. That the **Agreed Petition for the Court's Approval of the Parties' Settlement of the Minor's FDCPA and TCPA Claims** [#41] filed January 17, 2014, is **GRANTED**; and

3. That the court finds that the settlement agreement between the parties is fair and reasonable to and in the best interests of the minor plaintiff, T.B., and the settlement agreement is **APPROVED** by the court.

Dated August 7, 2014, at Denver, Colorado.

BY THE COURT:



Robert E. Blackburn
United States District Judge