

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Judge Raymond P. Moore**

Civil Action No. 12-cv-02547-RM-BNB

THE PIONEER CENTRES HOLDING COMPANY EMPLOYEE STOCK OWNERSHIP PLAN
AND TRUST AND ITS TRUSTEES, MATTHEW BREWER, ROBERT JENSEN AND SUSAN
DUKES,

Plaintiffs,

v.

ALERUS FINANCIAL, N.A., and
BERENBAUM WEINSHIENK, P.C.,

Defendants,

ALERUS FINANCIAL, N.A.,

Third-Party Plaintiff and Counterclaim Plaintiff,

v.

MATTHEW BREWER, ROBERT JENSEN, SUSAN DUKES,
PIONEER CENTRES HOLDING COMPANY, and RICHARD EASON,

Third-Party Defendants and Counterclaim Defendants.

**ORDER
ADOPTING APRIL 9, 2013 RECOMMENDATION
OF MAGISTRATE JUDGE (ECF No. 91)**

THIS MATTER comes before the Court on the April 9, 2013 Recommendation of United States Magistrate Judge and Order (“Recommendation”) (ECF No. 91) that the Plaintiffs’ Motion to Amend and Join (“Motion to Amend”) (ECF No. 65) be denied to the extent it seeks to add a prayer for exemplary damages. The parties were served with the Recommendation along with an advisement in conformance with 28 U.S.C. § 636(b)(1) and FED. R. CIV. P. 72 of their right to

object within 14 days of service. No objections to the Recommendation have to date been filed by any party. There appearing no clear error in the Recommendation it is therefore

ORDERED the Recommendation (ECF No. 91) that the Plaintiffs' Motion to Amend be denied to the extent it seeks to add a prayer for exemplary damages is **ADOPTED** and made an order of this Court.

DATED this 30th day of May, 2013.

BY THE COURT:

A handwritten signature in black ink, appearing to read 'Raymond P. Moore', written in a cursive style.

Raymond P. Moore
United States District Judge