

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
LEWIS T. BABCOCK, JUDGE**

Civil Case No. 12-cv-03341-LTB-MJW

EUGENE FOSTER and
ROBERT FISK,

Plaintiffs,

v.

MOUNTAIN COAL COMPANY, L.L.C.,
ARCH WESTERN RESOURCES, L.L.C., and
ARCH COAL, INC.,

Defendants.

ORDER

This case is before me on the recommendation of the Magistrate Judge issued and served on April 16, 2014 (Doc 63). Neither party has filed specific written objections to the Magistrate Judge's recommendation and are therefore barred from *de novo* review. Accordingly, it is

ORDERED that the recommendation is accepted and the Joint Unopposed Motion for Separate Trials (Doc 61) is DENIED.

BY THE COURT:

s/Lewis T. Babcock
Lewis T. Babcock, Judge

DATED: May 6, 2014