

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

Civil Action No. 13-cv-00752-REB-BNB

JAMES S. GRADY, d/b/a Group Five Photosports,

Plaintiff,

v.

EVAN BRODERSEN, a/k/a EFAN BRUDER, and  
JOHN DOES 1-5,

Defendants.

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

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**Blackburn, J.**

This matter is before me on the following:(1) the **Defendant's Motion to Dismiss for Lack of Personal Jurisdiction and Improper Venue** [#17]<sup>1</sup> filed May 6, 2013; and (2) the **Recommendation of United States Magistrate Judge** [#33] filed January 10, 2014. I approve and adopt the recommendation and deny the motion to dismiss.

No objections to the recommendation were filed. Thus, I review it only for plain error. *See Morales-Fernandez v. Immigration & Naturalization Service*, 418 F.3d 1116, 1122 (10<sup>th</sup> Cir. 2005). Finding no error, much less plain error, in the recommendation of the magistrate judge, I find and conclude that the recommendation should be approved and adopted as an order of this court.

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<sup>1</sup> "[#17]" 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.

The defendant, Evan Brodersen, argues in his motion to dismiss that this court does not have personal jurisdiction over him. In the recommendation, the magistrate judge analyzes the applicable law and the current record in this case. The magistrate judge concludes, correctly, that the plaintiff has met his burden of making a *prima facie* showing of facts which, if true, support the exercise of personal jurisdiction over the defendant.

**THEREFORE, IT IS ORDERED** as follows:

1. That the **Recommendation of United States Magistrate Judge** [#33] filed January 10, 2014, is **APPROVED** and **ADOPTED** as an order of this court; and
2. That the **Defendant's Motion to Dismiss for Lack of Personal Jurisdiction and Improper Venue** [#17] filed May 6, 2013, is **DENIED**.

Dated February 10, 2014, at Denver, Colorado.

**BY THE COURT:**



Robert E. Blackburn  
United States District Judge