

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
**Judge Philip A. Brimmer**

Civil Action No. 13-cv-02471-PAB-CBS

MACALMON MUSIC, LLC,

Plaintiff,

v.

MAURICE SKLAR MINISTRIES, INC.,  
MAURICE SKLAR, and  
DEVORAH J. SKLAR,

Defendants.

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**ORDER ACCEPTING MAGISTRATE JUDGE'S RECOMMENDATION**

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This matter is before the Court on the Recommendation of United States Magistrate Judge Craig B. Shaffer filed on August 4, 2015 [Docket No. 68]. The Recommendation states that objections to the Recommendation must be filed within fourteen days after its service on the parties. See 28 U.S.C. § 636(b)(1)(C). The Recommendation was served on August 4, 2015. No party has objected to the Recommendation.

The copies of the Recommendation that were mailed to defendants at their last known addresses were returned as undeliverable [Docket Nos. 69-71]. Although they are required to do so, see D.C.COLO.LAttyR 5(c), defendants have failed to inform the court of their current mailing addresses. Defendants, therefore, bear responsibility for not receiving a copy of the Recommendation.

In the absence of an objection, the district court may review a magistrate judge's recommendation under any standard it deems appropriate. See *Summers v. Utah*, 927 F.2d 1165, 1167 (10th Cir. 1991); see also *Thomas v. Arn*, 474 U.S. 140, 150 (1985) (“[i]t does not appear that Congress intended to require district court review of a magistrate’s factual or legal conclusions, under a *de novo* or any other standard, when neither party objects to those findings”). In this matter, the Court has reviewed the Recommendation to satisfy itself that there is “no clear error on the face of the record.”<sup>1</sup> Fed. R. Civ. P. 72(b), Advisory Committee Notes. Based on this review, the Court has concluded that the Recommendation is a correct application of the facts and the law. Accordingly, it is

**ORDERED** as follows:

1. The Recommendation of United States Magistrate Judge [Docket No. 68] is ACCEPTED.
2. Plaintiff’s Motion for Attorney Fees [Docket No. 56] is GRANTED.
3. Plaintiff shall recover from defendants, jointly and severally, its attorney’s fees in the amount of \$28,801.38.

DATED August 28, 2015.

BY THE COURT:

s/Philip A. Brimmer  
PHILIP A. BRIMMER  
United States District Judge

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<sup>1</sup>This standard of review is something less than a “clearly erroneous or contrary to law” standard of review, Fed. R. Civ. P. 72(a), which in turn is less than a *de novo* review. Fed. R. Civ. P. 72(b).