

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

Civil Action No. 14-cv-01277-REB-CBS

JOE ANZURES,

Plaintiff,

v.

FLAGSHIP RESTAURANT GROUP, a Nebraska company, and
NICK HOGAN,

Defendants.

**ORDER OVERRULING OBJECTIONS TO AND ADOPTING
RECOMMENDATION OF UNITED STATES MAGISTRATE JUDGE**

Blackburn, J.

The matters before me are (1) the **Recommendation of United States Magistrate Judge** [#45],¹ filed July 14, 2015; and (2) the objections stated in plaintiff's **Objection to Recommendation of United States Magistrate Judge** [#45] [#46], filed July 28, 2015. I overrule plaintiff's objections, adopt the recommendation, and grant defendants' motion to dismiss for lack of personal jurisdiction.

As required by 28 U.S.C. § 636(b), I have reviewed *de novo* all portions of the recommendation to which objections have been filed. I have considered carefully the recommendation, objections, and applicable caselaw, as well as the arguments raised and authorities cited by the parties both in their original briefs and in the objection and response.

¹ "[#45]" 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 recommendation is detailed and well-reasoned. The magistrate judge's thorough analysis of the issues raised by defendants' motion to dismiss for lack of personal jurisdiction over them in this forum requires no festooned reiteration by this court. After de novo review, I wholeheartedly approve and adopt the recommendation as an order of this court.

Plaintiff's objections are imponderous and without merit. Like his motion, his objection focuses myopically on his *own* contacts within the forum, rather than the salient contacts of either defendant. Those contacts are too ephemeral and tenuous to allow this court to assume personal jurisdiction over these defendants in this forum. Moreover, even assuming *arguendo* that defendants' contacts with this forum were minimally sufficient, I concur with the magistrate judge that it nevertheless would offend traditional notions of fair play and substantial justice to assume personal jurisdiction over them here.

THEREFORE, IT IS ORDERED as follows:

1. That the **Recommendation of United States Magistrate Judge [#45]**, filed July 14, 2015, is approved and adopted as an order of this court;
2. That the objections stated in plaintiff's **Objection to Recommendation of United States Magistrate Judge [#45] [#46]**, filed July 28, 2015, are overruled;
3. That **Defendants' Motion To Dismiss Amended Complaint [#35]**, filed October 2, 2014, is granted;
4. That plaintiff's claims against defendant are dismissed without prejudice for lack of personal jurisdiction over defendants in this forum;

5. That judgment without prejudice shall enter on behalf of defendants, Flagship Restaurant Group, a Nebraska company; and Nick Hogan, an individual, against plaintiff, Joe Anzures, on all claims for relief and causes of action; and

6. That this case is closed.

Dated August 10, 2015, at Denver, Colorado.

BY THE COURT:



Robert E. Blackburn
United States District Judge