

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

Civil Action No. 14-cv-03453-PAB

In re: JAMES PATRICK COX, and
SHIRLEY FORTES COX,

Bankruptcy Case No. 11-39273-EEB

Debtors.

DAVID E. LEWIS, Chapter 7 Trustee,

Adversary Proceeding No. 14-1361-EEB

Plaintiff,

v.

ON EAGLE'S WINGS MEDICAL BILLING, LLC, and
RUTH COX,

Defendants.

ORDER

This matter comes before the Court on the Order and Request for Entry of Final Order and Judgment by District Court [Docket No. 2] and the Proposed Findings of Fact and Conclusions of Law Regarding Plaintiff's Motion for Default Judgment on Non-Core Claims [Docket No. 3] filed by United States Bankruptcy Court Judge Elizabeth E. Brown in relation to Adversary Proceeding No. 14-1361-EEB.

The Court conducts a de novo review of any portion of the bankruptcy judge's proposed findings and conclusions in a non-core proceeding "to which specific written objection has been made" Fed. R. Bankr. P. 9033(d). "If no objection is filed, or if the parties consent in writing, the recommendations of the bankruptcy judge may be accepted by the district judge, and appropriate orders may be entered without further

notice.” D.C.COLO.LCivR 84.1(e); *see also* 28 U.S.C. § 157(c)(1). No objections to Bankruptcy Judge Brown’s Proposed Findings of Fact and Conclusions of Law Regarding Plaintiff’s Motion for Default Judgment on Non-Core Claims [Docket No. 3] have been filed and the deadline to do so has passed. See D.C.COLO.LCivR 84.1(e). It is therefore

ORDERED that the findings and conclusions contained in Bankruptcy Judge Brown’s Proposed Findings of Fact and Conclusions of Law Regarding Plaintiff’s Motion for Default Judgment on Non-Core Claims [Docket No. 3] are **ADOPTED**. It is further

ORDERED that plaintiff’s Motion for Default Judgment is **GRANTED** as to plaintiff’s First Claim for Relief and Second Claim for Relief. It is further

ORDERED that final judgment shall be entered in plaintiff’s favor and against defendant On Eagle’s Wings Medical Billing, LLC on plaintiff’s First Claim for Relief in the amount of \$712,000, together with interests, costs, and attorney’s fees incurred in the collection of the note as provided in the note. It is further

ORDERED that final judgment shall be entered in plaintiff’s favor and against defendant Ruth Cox on plaintiff’s Second Claim for Relief in the amount of \$712,000, together with interest, costs, and attorney’s fees incurred in the collection of the note as provided in the note. It is further

ORDERED that Adversary Proceeding No. 14-01361-EEB is **DISMISSED** in its entirety.

DATED August 20, 2015.

BY THE COURT:

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