

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Judge Christine M. Arguello**

Civil Action No. 17-cv-01593-CMA-KMT

ALICE R. LAFFITTE,

Plaintiff,

v.

DAVID J. SHULKIN, Secretary, United States Department of Veterans Affairs, in his official capacity,

Defendant.

**ORDER AFFIRMING AND ADOPTING THE JULY 12, 2018, RECOMMENDATION OF
UNITED STATES MAGISTRATE JUDGE**

This matter is before the Court on the July 12, 2018, Order and Recommendation by United States Magistrate Judge Kathleen M. Tafoya, in which she ordered that all proceedings in this case shall be stayed until October 2, 2018, pending full execution of the parties' settlement agreement,¹ and recommended that the Court deny as moot Defendant David J. Shulkin's Motion to Dismiss (Doc. # 22). (Doc. # 87.) The Recommendation is incorporated herein by reference. See 28 U.S.C. § 636(b)(1)(B); Fed. R. Civ. P. 72(b).

The Recommendation advised the parties that specific written objections were due within fourteen (14) days after being served with a copy of the Recommendation.

¹ Magistrate Judge Tafoya thereby implicitly granted the parties' Notice of Settlement and Joint Motion to Stay All Proceedings Pending Execution of Settlement Agreement (Doc. # 84.)

(Doc. # 87 at 2–3.) Despite this advisement, no party filed objections to Magistrate Judge Tafoya’s Order and Recommendation. “In the absence of timely objection, the district court may review a magistrate [judge’s] report under any standard it deems appropriate.” *Summers v. Utah*, 927 F.2d 1165, 1167 (10th Cir. 1991) (citing *Thomas v. Arn*, 474 U.S. 140, 150 (1985) (stating that “[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.”)).

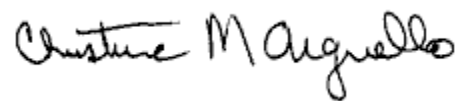
The Court has reviewed all the relevant pleadings concerning Defendant’s Motion to Dismiss and the Order and Recommendation, in addition to applicable portions of the record and relevant legal authority. It is satisfied that that the Order and Recommendation is sound and not clearly erroneous or contrary to law. See Fed. R. Civ. P. 72(a).

Accordingly, the Court ORDERS as follows:

1. The Order and Recommendation of United States Magistrate Judge Tafoya (Doc. # 87) is AFFIRMED and ADOPTED;
2. Defendant’s Motion to Dismiss (Doc. # 22) is DENIED AS MOOT, WITHOUT PREJUDICE; and
3. The parties’ Notice of Settlement and Joint Motion to Stay All Proceedings Pending Execution of Settlement Agreement (Doc. # 84) is GRANTED. The stay of all proceedings until October 2, 2018, pending execution of the settlement agreement, remains in place. See (Doc. # 87.)

DATED: August 1, 2018

BY THE COURT:

A handwritten signature in black ink that reads "Christine M. Arguello". The signature is written in a cursive style with a large, looped initial 'C'.

CHRISTINE M. ARGUELLO
United States District Judge