

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

Civil Action No. 17-cv-03041-CMA-KLM

CUNNINGHAM LINDSEY U.S., INC,

Plaintiff,

v.

CRAWFORD & COMPANY,
ROBERT WILLIAMS,
ANDREW LARSON,
WILLIAM WALLS,
THOMAS WALLS, and
RYAN WALLS,

Defendants.

**ORDER AFFIRMING AND ADOPTING THE DECEMBER 3, 2018
RECOMMENDATION OF UNITED STATES MAGISTRATE JUDGE KRISTEN L. MIX**

This matter is before the Court upon the December 3, 2018 Recommendation by United States Magistrate Judge Kristen L. Mix, wherein she recommends that this Court grant Defendant Crawford & Company's ("Defendant Crawford") Amended Motion to Dismiss (Doc. # 71) pursuant to Federal Rule of Civil Procedure 12(b)(6). (Doc. # 100.) 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. (Doc. # 100 at 15–16.) Despite this advisement, no objections to the Recommendation

have been filed. “[T]he district court is accorded considerable discretion with respect to the treatment of unchallenged magistrate reports. 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).

After reviewing the Recommendation of Magistrate Judge Mix and all relevant pleadings and legal authority, the Court is satisfied that the Recommendation is sound and not clearly erroneous or contrary to law. See Fed. R. Civ. P. 72(a).

Accordingly, it is ORDERED that the Recommendation of the United States Magistrate Judge (Doc. # 100) is AFFIRMED and ADOPTED. It is

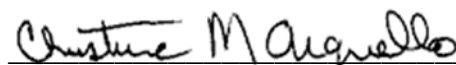
FURTHER ORDERED that Defendant Crawford’s Amended Motion to Dismiss (Doc. # 71) is GRANTED. Claims 6 and 7, which Plaintiff Cunningham Lindsey U.S., Inc. asserts only against Defendant Crawford, are DISMISSED WITHOUT PREJUDICE for failure to state a claim upon which relief may be granted. It is

FURTHER ORDERED that Defendant Crawford is dismissed as a defendant in this action. It is

FURTHER ORDERED that Plaintiff’s claims against remaining Defendants Robert Williams, Andrew Larson, William Walls, Thomas Walls, and Ryan Walls survive. See (Doc. # 48 at 11–15.)

DATED: January 7, 2019

BY THE COURT:



CHRISTINE M. ARGUELLO
United States District Judge