

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

Civil Action No. 18-cv-00551-CMA-KLM

CONTINENTIAL CASUALTY COMPANY, an Illinois corporation,

Petitioner,

v.

KIDNEY REAL ESTATE ASSOCIATES OF ARVADA, LLC, a Colorado limited liability,

Respondent.

**ORDER AFFIRMING THE FEBRUARY 22, 2019 RECOMMENDATION OF UNITED
STATES MAGISTRATE JUDGE AND GRANTING PETITIONER'S PETITION TO
APPOINT UMPIRE**

This matter is before the Court on the Recommendation by United States Magistrate Judge Kristen L. Mix (Doc. # 35), wherein she recommends that this Court grant Petitioner Continental Casualty Company's Petition to Appoint Umpire (Doc. # 1) and appoint Neil Mekelburg of Pie Consulting & Engineering as umpire with respect to the insurance policy appraisal provision applicable to this case. 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. # 35 at 6–7.) 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).

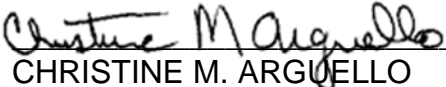
Accordingly, it is ORDERED that the February 22, 2019 Recommendation of the United States Magistrate Judge Mix (Doc. # 35) is AFFIRMED and ADOPTED. It is

FURTHER ORDERED that Petitioner's Petition to Appoint Umpire (Doc. # 1) is GRANTED. It is

FURTHER ORDERED that Neil Mekelburg of Pie Consulting & Engineering is appointed umpire for purposes of the parties' dispute over the property appraisal at issue.

DATED: March 13, 2019

BY THE COURT:


CHRISTINE M. ARGUELLO
United States District Judge