

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Judge Raymond P. Moore**

Civil Action No. 18-cv-01293-RM-STV

STERLING ZEIER;
PAMELA ZEIER; and
LEGACY 1, LLC, a Colorado limited liability company,

Plaintiffs,

v.

G.F. INVESTMENT SERVICES, LLC, a Florida limited liability company;
GLOBAL WEALTH MANAGEMENT INVESTMENT ADVISORY, INC.,
a Florida corporation;
ANDREW G. COSTA, an individual; and
ANDREW M. COSTA, an individual,

Defendants.

ORDER

This matter is before the Court on the February 28, 2019, Recommendation of United States Magistrate Judge Scott T. Varholak (the “Recommendation”) (ECF No. 65) to (1) defer judgment on the Motions to Dismiss (ECF Nos. 42, 44) filed by Defendants G.F. Investment Services, LLC, Global Wealth Management Investment Advisory, Inc., and Andrew M. Costa, and (2) transfer this action to the United States District Court for the Southern District of Florida. 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 days after being served with a copy of the Recommendation. (ECF No. 65, pages 10-

11.) Despite this advisement, no objections to the Recommendation have to date been filed by any party and the time to do so has expired. (*See generally* Dkt.)

The Court concludes that Magistrate Judge Varholak's analysis was thorough and sound, and that there is no clear error on the face of the record. *See* FED. R. CIV. P. 72(b) advisory committee's note ("When no timely objection is filed, the court need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation."); *see also Summers v. Utah*, 927 F.2d 1165, 1167 (10th Cir. 1991) ("In the absence of timely objection, the district court may review a magistrate's report under any standard it deems appropriate."). The Recommendation is, therefore, accepted and adopted as an order of this Court.

In accordance with the foregoing, the Court:

- (1) ACCEPTS and ADOPTS the Recommendation of United States Magistrate Judge (ECF No. 65) in its entirety;
- (2) DEFERS ruling and judgment on the two Motions to Dismiss (ECF Nos. 42, 44);
and
- (3) DIRECTS the Clerk to transfer this action to the United States District Court for the Southern District of Florida, pursuant to 28 U.S.C. § 1404(a), and to close this case.

DATED this 18th day of March, 2019.

BY THE COURT:



RAYMOND P. MOORE
United States District Judge