

DISCUSSION

A magistrate judge's ruling on a dispositive matter is reviewed by the district judge de novo. 28 U.S.C. § 636(b)(1)(B); Fed. R. Civ. P. 72(b)(3). The court may adopt, reject or modify, in whole or in part, a magistrate judge's recommended ruling. 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b).

The Court has reviewed the recommended ruling, plaintiffs' objection and the responses thereto. In reviewing the submissions, the Court agrees with Magistrate Judge Fitzsimmons' recommended ruling and its analysis. Therefore, the Court will overrule plaintiffs' objection.

The Court will slightly alter the conditions upon which it will grant defendants' motion. The conditions upon which this motion will be granted are as follows:

- Defendants consent to jurisdiction and to accept process in any suit plaintiffs file in Finland on claims that arise out of the facts of the instant suit;
- Defendants waive any statute of limitations defense that may be available to them in Finland that arose on or after the date of this lawsuit, provided that litigation is commenced in Finland within 120 days of the dismissal of this action in this Court and resolution by the Court of Appeals on appeal, if any;
- Defendants make available for discovery and for trial, at their own expense, any documents or witnesses, including retired employees, within their control that are needed for a fair adjudication of plaintiffs' claims;
- Defendants make available for discovery and for trial any evidence, including documents and witnesses, that plaintiffs could compel production of in this Court;
- Defendants will not act to prevent plaintiffs from returning to this Court if the Finnish courts decline to accept jurisdiction of this action, provided a motion to

