

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

BANK OF MONTREAL,	:	
	:	
Plaintiff,	:	
	:	
v.	:	C. A. No. 10-226-GMS-LPS
	:	
SF WEEKLY LP, ET AL.,	:	
	:	
Defendants.	:	

**REPORT AND RECOMMENDATION**

At Wilmington this 13<sup>th</sup> day of April, 2010.

For the reasons set forth by the Court during the teleconference today,

The Court hereby recommends that:

1. Motion to Remand (D.I. 3) be GRANTED; and the request for attorneys’ fees and costs (D.I. 3) be DENIED.
2. Motion to Dissolve Temporary Restraining Order (D.I. 26) be DENIED.
3. Letter Motion to Enforce Temporary Restraining Order (D.I. 27) be DENIED.

IT IS FURTHER ORDERED that oral argument on the Motion to Remand (D.I. 3) scheduled for April 22, 2010 at 11:00 a.m. is CANCELLED.

This Report and Recommendation is filed pursuant to 28 U.S.C. § 636(b)(1)(B), Fed. R. Civ. P. 72(b)(1), and D. Del. LR 72.1. The parties may serve and file specific written objections of no longer than ten (10) pages within fourteen (14) days after being served with a copy of this Report and Recommendation. Fed. R. Civ. P. 72(b). The failure of a party to object to legal conclusions may result in the loss of the right to de novo review in the district

court. *See Henderson v. Carlson*, 812 F.2d 874, 878-79 (3d Cir. 1987); *Sincavage v. Barnhart*, 171 Fed. Appx. 924, 925 n.1 (3d Cir. 2006). **A party responding to objections may do so within fourteen (14) days after being served with a copy of objections; such response shall not exceed ten (10) pages. No further briefing shall be permitted with respect to objections without leave of the Court.**

The parties are directed to the Court's Standing Order In Non-*Pro Se* Matters For Objections Filed Under Fed. R. Civ. P. 72, dated November 16, 2009, a copy of which is available on the Court's website, [www.ded.uscourts.gov/StandingOrdersMain.htm](http://www.ded.uscourts.gov/StandingOrdersMain.htm).

Local counsel are reminded of their obligations to inform out-of-state counsel of this Order. To avoid the imposition of sanctions, counsel shall advise the Court immediately of any problems regarding compliance with this Order.

A handwritten signature in black ink, appearing to read 'L. P. A.', written over a horizontal line.

UNITED STATES MAGISTRATE JUDGE