

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 09-61776-CIV-ZLOCH

FOOD MARKETING CONSULTANTS,
INC., d/b/a COLOR ALL ABOUT
IT,

Plaintiff,

vs.

SESAME WORKSHOP,

Defendant.
_____ /**ORDER TRANSFERRING ACTION
TO THE UNITED STATES DISTRICT
COURT FOR THE
SOUTHERN DISTRICT OF NEW YORK**

THIS MATTER is before the Court upon the Report and Recommendation (DE 15) filed herein by United States Magistrate Judge Robin S. Rosenbaum and upon Defendant Sesame Workshop's Motion To Dismiss, Or, In The Alternative, Motion To Transfer Venue (DE 10). No objections to said Report have been filed. The Court has conducted a de novo review of the entire record herein and is otherwise fully advised in the premises.

Accordingly, after due consideration, it is

ORDERED AND ADJUDGED as follows:

1. The Report and Recommendation (DE 15) filed herein by United States Magistrate Judge Robin S. Rosenbaum be and the same is hereby approved, adopted and ratified by the Court;

2. Defendant Sesame Workshop's Motion To Dismiss, Or, In The Alternative, Motion To Transfer Venue (DE 10) be and the same is hereby **GRANTED** in part and **DENIED** in part;

3. Defendant Sesame Workshop's Motion To Dismiss (DE 10) be and the same is hereby **DENIED**;

4. Defendant's Sesame Workshop's Motion To Transfer Venue (DE 10) be and the same is hereby **GRANTED**; and

5. The Clerk of the Court for the United States District Court for the Southern District of Florida be and the same is hereby **DIRECTED** to take all necessary steps and procedures to effect the expeditious transfer of the above-styled cause to the United States District Court for the Southern District of New York for further proceedings.

DONE AND ORDERED in Chambers at Fort Lauderdale, Broward County, Florida, this 19th day of April, 2010.



WILLIAM J. ZLOCH
United States District Judge

Copies furnished:

All Counsel of Record