

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

**AFFILIATED FOODS MIDWEST** )  
**COOPERATIVE, INC.,** )  
**Plaintiff,** )  
) )  
**vs.** )  
) )  
**WOLF CREEK MARKETPLACE, INC., et al.,** )  
) )  
**Defendants.** )  
\_\_\_\_\_ )

**Case No. 10-2012-JAR**

**ORDER ADOPTING REPORT AND RECOMMENDATION**

Fourteen days having passed, and no written objections being filed to the proposed findings and recommendations filed by Magistrate Judge David J. Waxse, and after a de novo determination upon the record pursuant to Fed. R. Civ. P. 72(b), the Court accepts the recommended decision and adopts it as its own.

**IT IS THEREFORE ORDERED** plaintiff’s Motion for Turnover of Funds (Doc. 45) is **granted**. Defendants shall deliver to plaintiff all net proceeds of the sale of Wolf Creek Marketplace inventory, which the record before the Court indicates is in an amount exceeding \$80,000, within seven days of the entry of this Order, either by cashier's check, teller check or by assignment of all rights to the account or accounts in which such funds are held. Defendants are enjoined from transferring or otherwise disposing of any of the proceeds of the inventory referenced herein other than to plaintiff, as set forth in the Report and Recommendation. Plaintiff is authorized to take all appropriate and necessary actions to assist in the transfer of the aforementioned proceeds to plaintiff to effectuate this Order

**IT IS SO ORDERED.**

Dated: November 29, 2010

S/ Julie A. Robinson  
JULIE A. ROBINSON  
UNITED STATES DISTRICT JUDGE