

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF KENTUCKY
SOUTHERN DIVISION
PIKEVILLE

CIVIL ACTION NO. 7:08-cv-186

2815 GRAND REALTY CORP., et al.,

PLAINTIFFS,

v.

OPINION AND ORDER

GOOSE CREEK ENERGY, INC., et al.,

DEFENDANTS,

* * * * *

This matter is before the Court on the Defendants' Motion to Dismiss [DE 112] and Amended Motion to Dismiss [DE 114]. These motions were referred to Magistrate Judge Atkins for a Report and Recommendation and Judge Atkins has recommended that the Defendants' motions be denied. [DE 133]. No party has filed any objections to the Report and Recommendation. The Court has reviewed the Report and Recommendation and finds its analysis correct.

Accordingly, the Court hereby ORDERS as follows:

- 1) the Magistrate Judge's Report and Recommendation [DE 133] is ADOPTED as the opinion of this Court; and
- 2) the Defendants' Motion to Dismiss [DE 112] and Amended Motion to Dismiss [DE 114] are DENIED.

Dated this 26th day of May, 2011.



Signed By:

Karen K. Caldwell *KKC*
United States District Judge