

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

PREMIER SALES & MARKETING, INC.,

Plaintiff,

-vs-

PEIKER ACUSTIC, INC.,

Defendant.

Case No. 09-CV-10610

PAUL D. BORMAN
UNITED STATES DISTRICT JUDGE

R. STEVEN WHALEN
UNITED STATES MAGISTRATE JUDGE

ORDER

(1) ADOPTING THE MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION

(DKT. NO. 45); and

(2) DENYING DEFENDANT'S MOTION TO COMPEL ARBITRATION AT THIS STAGE OF
THE PROCEEDINGS (DKT. NO. 24)

Before the Court is the Magistrate Judge's February 16, 2010 Report and Recommendation (Dkt. No. 45) denying Defendant's Motion to Compel Arbitration (Dkt. No. 24). Neither party has filed timely objections under 28 U.S.C. § 636(b)(1) and E.D. Mich L.R. 72.1(d). Having reviewed the Magistrate Judge's conclusions of fact and discussion of law, the Court hereby:

- (1) **ADOPTS** the Magistrate Judge's Report and Recommendation (Dkt. No. 45); and
- (3) **DENIES** Defendant's Motion to Compel Arbitration at this stage of the proceedings. (Dkt. No. 24).

SO ORDERED.

S/Paul D. Borman

PAUL D. BORMAN
UNITED STATES DISTRICT JUDGE

Dated: March 24, 2010

CERTIFICATE OF SERVICE

Copies of this Order were served on the attorneys of record by electronic means or U.S. Mail on March 24, 2010.

S/Denise Goodine
Case Manager