

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

---

JAMES NEWBURRY,

Plaintiff,

v.

PUBLISH AMERICA, et al.,

Defendants.

---

Case No. 1:08-CV-686

Hon. Robert J. Jonker

**ORDER AND JUDGMENT**  
**APPROVING REPORT AND RECOMMENDATION**

The court has reviewed the Report and Recommendation filed by the United States Magistrate Judge in this action. The Report and Recommendation was duly served on the parties on May 12, 2009. No objections have been filed pursuant to 28 U.S.C. § 636(b)(1)(C).

**THEREFORE, IT IS ORDERED** that the Report and Recommendation of the Magistrate Judge, filed May 12, 2009, is approved and adopted as the opinion of the court.

**IT IS FURTHER ORDERED** that Defendants' Motion to Dismiss or to Compel Arbitration (docket #16) is **GRANTED**. This action is **DISMISSED**.

/s/ Robert J. Jonker  
ROBERT J. JONKER  
UNITED STATES DISTRICT JUDGE

DATED: June 4, 2009.