

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Gary Thelen,

Plaintiff,

v.

Civil No. 08-1150 (JNE/JJG)
ORDER

City of Elba et al.,

Defendants.

This case is before the Court on a Report and Recommendation issued by the Honorable Jeanne J. Graham, United States Magistrate Judge, on July 13, 2010. The magistrate judge recommended that Defendants' motion for sanctions be denied. Defendants objected to the Report and Recommendation. The Court has conducted a de novo review of the record. *See* D. Minn. LR 72.2(b). Based on that review, the Court determines that Plaintiff's conduct does not warrant the imposition of attorney fees or sanctions under 42 U.S.C. § 1988 (2006), Rule 11 of the Federal Rules of Civil Procedure, or Minn. Stat. § 549.211 (2008). Therefore, IT IS

ORDERED THAT:

1. Defendants' Motion for Sanctions and Attorney's Fees [Docket No. 77] is DENIED.

Dated: August 31, 2010

s/ Joan N. Ericksen
JOAN N. ERICKSEN
United States District Judge