

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

---

VICKI PIONTEK,

Civil No. 08-5401 (JRT/JJG)

Plaintiff,

v.

**ORDER ADOPTING REPORT AND  
RECOMMENDATION**

MESSERLI & KRAMER, P.A.,  
WILLIAM F. MESSERLI, AND ROSS  
E. KRAMER.

Defendants.

---

The above matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge Jeanne J. Graham dated January 22, 2009 [Docket No. 6]. No objections have been filed to that Report and Recommendation in the time period permitted.

Based upon the Report and Recommendation of the Magistrate Judge, upon all of the files, records, and proceedings herein, the Court now makes and enters the following Order.

**IT IS HEREBY ORDERED** that this action is **DISMISSED WITHOUT PREJUDICE**.

DATED: February 20, 2009  
at Minneapolis, Minnesota.

s/John R. Tunheim  
JOHN R. TUNHEIM  
United States District Judge