

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

Jackson National Life Insurance Co.,

Civil No. 09-1024 (JMR/FLN)

Plaintiff,

v.

Workman Securities Corp.,

**ORDER**Defendant and  
Third-Party Plaintiff,

v.

Gayle Sanderson,

Third-Party Defendant,

and

Thomas M. Petracek,

Intervenor.

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Based upon the Findings of Fact, Conclusions of Law, and Recommendation by United States Magistrate Judge Franklin L. Noel dated March 19, 2010, all the files and records, and no objections having been filed to said Report and Recommendation,

**IT IS HEREBY ORDERED** that Third-Party Defendant's motion to dismiss pursuant to Fed.R.Civ.P. 12(b)(6) [#38] is GRANTED in its entirety and Count I of the Third-Party Complaint as it pertains to Gayle Sanderson is DISMISSED WITH PREJUDICE.

DATED: April 6, 2010.  
at Minneapolis, Minnesota

s/James M. Rosenbaum  
JUDGE JAMES M. ROSENBAUM  
United States District Court