

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Stephen Wayne Carlson,

Plaintiff,

v.

Civil No. 12-531 (JNE/JJK)

Gittleman Management Corp.; Strobel &
Hanson PA; Each director on the putative board
of directors of Gallery Tower Condominium
Association since August 1, 2009; and Gary
Edwards,

Defendants.

ORDER

Stephen Wayne Carlson,

Plaintiff,

v.

Civil No. 12-532 (JNE/JJK)

U.S. Bank Home Mortgage; Gittleman
Management; Andrew Gittleman; Strobel &
Hanson PA; and Each director on the putative
board of directors of Gallery Tower
Condominium Association since August 1,
2009,

Defendants.

In a Report and Recommendation dated December 6, 2012, the Honorable Jeffrey J. Keyes, United States Magistrate Judge, recommended that several dispositive motions be granted, that these cases be dismissed, and that a filing injunction be placed on Stephen Wayne Carlson. No objections to the Report and Recommendation were filed. The Court has conducted

a de novo review of the record. *See* D. Minn. LR 72.2(b). Based on that review, the Court adopts the Report and Recommendation.¹ Therefore, IT IS ORDERED THAT:

1. The Motion for Summary Judgment [Docket No. 16 in Civil No. 12-531] of Defendants Gittleman Management; each director on the putative board of directors of Gallery Tower Condominium Association since August 1, 2009; and Gary Edwards is GRANTED.
2. The Motion for Summary Judgment and Motion to Dismiss [Docket No. 25 in Civil No. 12-531] of Defendant Strobel & Hanson PA is GRANTED.
3. Civil No. 12-531 is DISMISSED.
4. The Motion for Summary Judgment [Docket No. 20 in Civil No. 12-532] of Defendants Gittleman Management; Andrew Gittleman; and each director on the putative board of directors of Gallery Tower Condominium Association since August 1, 2009, is GRANTED.
5. The Motion for Summary Judgment and Motion to Dismiss [Docket No. 28 in Civil No. 12-532] of Defendant Strobel & Hanson PA is GRANTED.
6. The Motion to Dismiss [Docket No. 35 in Civil No. 12-532] of Defendant U.S. Bank Home Mortgage is GRANTED.
7. Civil No. 12-532 is DISMISSED.
8. Stephen Wayne Carlson is enjoined from filing any additional lawsuits against any defendants in the District of Minnesota unless Carlson receives permission to file the proposed complaint from a judge in this District or the complaint is signed by a licensed attorney.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: January 15, 2013

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

¹ As the magistrate judge noted, Carlson was previously subject to a filing injunction. *Carlson v. Ameriprise Fin.*, Civ. No. 08-5303 (MJD/JJK), slip op. at 67 (D. Minn. May 21, 2009). Later, the district judge in *Ameriprise* struck the injunction because Carlson had not received notice and an opportunity to be heard. *Carlson v. Ameriprise Fin.*, Civ. No. 08-5303 (MJD/JJK), slip op. at 2-3 (D. Minn. Sept. 17, 2009). Here, the recommendation to place a filing injunction on Carlson and Carlson's opportunity to object provided notice and an opportunity to be heard. *See Cok v. Family Court of R.I.*, 985 F.2d 32, 35 (1st Cir. 1993).