

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

CHAD VAITH,

Civil No. 18-31(JRT/HB)

Plaintiff,

v.

GENERAL MOTORS, LLC and HOUSE
CHEVROLET CO.,

**ORDER ON REPORT
AND RECOMMENDATION**

Defendants.

Brent S. Schafer, **SCHAFER LAW FIRM, PA**, 991 Sibley Memorial Highway, Suite 207, Lilydale, MN 55118, Laurence G. Tien, Robert W. Cowan, **BAILEY, PEAVY, BAILEY, COWAN, HECKAMAN, PLLC**, 5555 San Felipe, Suite 900, Houston, TX 77056 for plaintiff,

Kristina Kaluza, David Graham, Michael Stephani, **DYKEMA GOSSETT PLLC**, 4000 Wells Fargo Center, 90 South Seventh Street, Minneapolis, MN 55402, Michael P. Cooney, **DYKEMA GOSSETT PLLC**, 400 Renaissance Center, Detroit, MI 48243, for defendant General Motors, LLC.

Robert G. Benner, **DUNLAP & SEEGER, PA**, PO Box 549, Rochester, MN 55903-0549, for defendant House Chevrolet, Co.

The above-entitled matter came before the Court upon the Report and Recommendation of the United States Magistrate Judge. No objections have been filed to the Report and Recommendation in the time period permitted.

Based upon the Report and Recommendation of the Magistrate Judge, and all the files, records and proceedings herein,

IT IS HEREBY ORDERED that:

1. The Report and Recommendation is **ADOPTED**;

2. Defendant House Chevrolet Co.'s Motion to Dismiss for Lack of Jurisdiction

[Docket No. 10] is **GRANTED**; and

3. Plaintiff's Motion to Remand [Docket No. 22] is **DENIED**.

LET JUDGMENT BE ENTERED ACCORDINGLY.

DATED: July 19, 2018
at Minneapolis, Minnesota

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