

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF MONTANA

FILED

BILLINGS DIVISION

JUL 24 2012

JOHN JARVIS, BOBBI JO
SARRAZIN, individually and as
the parents of JADE SARRAZIN,
KEEGAN SARRAZIN JARVIS,
their minor children,

Plaintiffs,

vs.

ALLSTATE INSURANCE
COMPANY,

Defendant.

CV-11-132-BLG-RFC

ORDER ADOPTING FINDINGS
AND RECOMMENDATIONS OF
U.S. MAGISTRATE JUDGE

PATRICK E. DUFFY CLERK
 BY _____
 Deputy Clerk
 U.S. DISTRICT COURT
 BILLINGS DIVISION

On May 21, 2012, United States Magistrate Judge Carolyn Ostby entered Findings and Recommendation. Magistrate Judge Ostby recommends this grant Allstate's Motion for Partial Summary Judgment.

Upon service of a magistrate judge's findings and recommendation, a party has 14 days to file written objections. 28 U.S.C. § 636(b)(1). In this matter, no party filed objections to the May 21, 2012 Findings and Recommendation. Failure to object to a magistrate judge's findings and recommendation waives all


objections to the findings of fact. *Turner v. Duncan*, 158 F.3d 449, 455 (9th Cir. 1999). However, failure to object does not relieve this Court of its burden to review de novo the magistrate judge's conclusions of law. *Barilla v. Ervin*, 886 F.2d 1514, 1518 (9th Cir. 1989).

After an extensive review of the record and applicable law, this Court finds Magistrate Judge Ostby's Findings and Recommendation are well grounded in law and fact and adopts them in their entirety.

Accordingly, **IT IS HEREBY ORDERED** that the Allstate's Motion for Partial Summary Judgment [*doc. 27*] is **GRANTED**.

The Clerk of Court shall notify the parties of the entry of this Order.

DATED the 24th day of July, 2012.


RICHARD F. CEBULL
UNITED STATES DISTRICT JUDGE