

FILED

MAY 28 2014

Clerk, U.S. District Court
District Of Montana
Helena

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF MONTANA

BILLINGS DIVISION

WILLIAM J. PAATALO,

Plaintiff,

vs.

FIRST AMERICAN TITLE
COMPANY OF MONTANA, INC., *et.*
al.,

Defendants.

CV 13-128-BLG-SEH

ORDER

On May 14, 2014, United States Magistrate Judge Carolyn S. Ostby entered her Findings and Recommendations¹ on the Motion to Dismiss Defendants Mackoff Kellogg Law Firm - Charles J. Peterson, and Jason J. Henderson² Plaintiff filed objections on May 23, 2014.³ The Court reviews *de novo* findings

¹ Doc. 72.

² Doc. 56.

³ Doc. 73.

and recommendations to which objections are made. 28 U.S.C. § 636(b)(1).

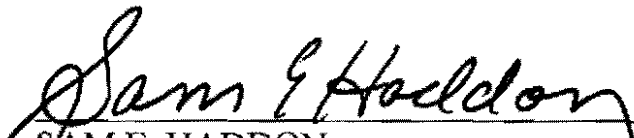
Upon *de novo* review of the record, I find no error in Judge Ostby's Findings and Recommendations and adopt them in full.

ORDERED:

1. Motion to Dismiss Defendants Mackoff Kellogg Law Firm - Charles J. Peterson, and Jason J. Henderson⁴ is GRANTED as to Plaintiff Paatalo's claims for Breach of Contract (Count I), Breach of Implied Covenant of Good Faith and Fair Dealing (Count II), and Violations of the Fair Debt Collection Practices Act (Count VII) and are DISMISSED with prejudice; and

2. Motion to Dismiss Defendants Mackoff Kellogg Law Firm - Charles J. Peterson, and Jason J. Henderson⁵ is DENIED as to Plaintiff Paatalo's claims for Fraud (Count III); Constructive Fraud (Count IV); and Negligent Misrepresentation (Count V).

DATED this 28th day of May, 2014.



SAM E. HADDON
United States District Judge

⁴ Doc. 56.

⁵ Doc. 56.