

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION

FILED

MAR 31 2016

Clerk, U S District Court
District Of Montana
Billings

CASEY BENDURE,

Plaintiff,

vs.

STAR TARGETS, JUSTIN HARDY,
TLD INDUSTRIES LLC, CABELA'S
WHOLESALE, INC., ROLLING
THUNDER PYROTECHNIC, CORP.
and MACRAFT USA, LLC,

Defendants.

CV 14-89-BLG-SPW

OPINION and ORDER

TLD INDUSTRIES LLC,

Third-Party Plaintiff,

Vs.

ROLLING THUNDER
PYROTECHNIC, CORP. and
MACRAFT USA,

Third-Party Defendants.


Plaintiff Casey Bendure brought this negligence action against Defendants Star Targets, Justin Hardy, TLD Industries, LLC, Cabela's Wholesale, Inc., Rolling Thunder Pyrotechnic, Corp., and Macraft USA, LLC. (Doc. 4). After reviewing TLD's renewed motion for default judgment against Rolling Thunder and Macraft, (doc. 87), United States Magistrate Judge Carolyn Ostby issued Findings and Recommendations on March 1, 2016. Judge Ostby concluded that TLD's motion should be granted.

Pursuant to 28 U.S.C. § 636(b)(1), Rolling Thunder and Macraft had 14 days to file written objections after Judge Ostby's Findings and Recommendations were filed. No objections were filed. When neither party objects, this Court still reviews Judge Ostby's conclusions for clear error. Clear error exists if the Court is left with a "definite and firm conviction that a mistake has been committed." *United States v. Syrax*, 235 F.3d 422, 427 (9th Cir. 2000). After reviewing the Findings and Recommendations, this Court does not find that Judge Ostby committed clear error.

Accordingly, IT IS HEREBY ORDERED:

1. Judge Ostby's Findings and Recommendations (Doc. 93) are ADOPTED IN FULL.
2. TLD's Renewed Motion for Default Judgment (Doc. 87) is GRANTED.

DATED this 31ST day of March 2016.

A handwritten signature in cursive script that reads "Susan P. Watters". The signature is written in black ink and is positioned above a horizontal line.

SUSAN P. WATTERS
United States District Judge