

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

FILED
JAN - 5 2015
Clerk, U.S. District Court
District Of Montana
Billings

WESTERN SECURITY BANK, A
Division of Glacier Bank,

Plaintiff,

vs.

SCHNEIDER LIMITED
PARTNERSHIP; JAY WINZENREID,
M.D.; STEPHEN EMERY; and BIG
HORN BASIN BONE AND JOINT,
LLC,

Defendants.

CV 15-10-BLG-SPW-CSO

OPINION and ORDER

Before the Court are United States Magistrate Judge Carolyn Ostby's Findings and Recommendations filed on December 21, 2015. In the Findings and Recommendations, Judge Ostby recommends that this Court deny the Defendants' Motion to Stay Action Pending Appeal.

Pursuant to 28 U.S.C. § 636(b)(1), the parties were required to file written objections within 14 days of the filing of Judge Ostby's Findings and Recommendations. No objections were filed. When neither party objects, this Court 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

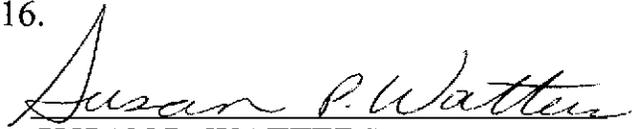
reviewing the Findings and Recommendations, this Court does not find that Judge Ostby committed clear error.

Accordingly, IT IS HEREBY ORDERED:

1. Judge Ostby's Findings and Recommendations (Doc. 86) are ADOPTED IN FULL.

2. The Motion to Stay Action Pending Appeal (Doc. 61) is DENIED.

DATED this 5th day of January, 2016.


SUSAN P. WATTERS
United States District Judge