#### NOT FOR PUBLICATION

### UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEW JERSEY

EAST FORK INVESTMENT GROUP, LLC,	:	
Plaintiff,	:	Civil Action No. 09-1193 (SDW)
V.	• : :	ORDER
KENNEDY FUNDING, INC., et al.,	:	
Defendants.	:	May 18, 2011
	:	

#### ORDER ADOPTING THE REPORT AND RECOMMENDATION OF THE MAGISTRATE JUDGE

This matter comes before the Court on the Report and Recommendation ("R&R") of United States Magistrate Judge Madeline Cox Arleo ("Magistrate Judge Arleo"), filed on May 2, 2011. The R&R addresses plaintiff East Fork Investment Group, LLC's ("Plaintiff") demonstrated unwillingness to prosecute this action and non-compliance with the Court. No objections have been filed to the R&R.

The Court has reviewed the R&R and the other documents on file in this matter. Based on the foregoing, and for good cause shown,

It is hereby **ORDERED** that the R&R of Magistrate Judge Arleo, filed May 2, 2011, is **ADOPTED** as the conclusions of law of this Court; and it is

# **ORDERED** that Plaintiff's Complaint be **DISMISSED WITH PREJUDICE**.

## SO ORDERED.

s/Susan D. Wigenton, U.S.D.J.

Orig: Clerk cc: Judge Arleo Parties