



letter on September 23, 2011 objecting to Judge Dickson's Report and Recommendation (ECF No. 85). Olympic filed a letter in response on September 27, 2011 (ECF No. 86).

The Court has reviewed the Report and Recommendation de novo and concurs in Judge Dickson's opinion. AON's objection improperly attempts to assert new arguments not previously raised before Judge Dickson. These arguments are waived. AON's other objections are ineffective and wholly unsupported by the record. Therefore, this Court will adopt the Report and Recommendation as the Opinion of the Court.

IT IS on this 30th day of September 2011,

**ORDERED** that the Report and Recommendation of Magistrate Judge Joseph A. Dickson (ECF No. 82) is hereby adopted as the Opinion of the Court;

**AND IT IS FURTHER ORDERED** Third-Party Defendant's Motion for Summary Judgment (ECF No. 51) is granted.

S/ Dennis M. Cavanaugh  
Dennis M. Cavanaugh, U.S.D.J.

Original: Clerk  
cc: All Counsel of Record  
Hon. J. A. Dickson, U.S.M.J.  
File