

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

THE EVANGELICAL LUTHERAN GOOD  
SAMARITAN SOCIETY, A NORTH  
DAKOTA CORPORATION D/B/A  
GOOD SAMARITAN SOCIETY-  
FOUR CORNERS VILLAGE,

Plaintiff,

v.

CIV 17-1090 KG/JHR

DORA L. KING, AS PERSONAL  
REPRESENTATIVE OF THE WRONGFUL  
DEATH ESTATE OF EARNEST  
WAYNE PAYNE, DECEASED,

Defendant.

**ORDER ADOPTING THE MAGISTRATE JUDGE'S  
PROPOSED FINDINGS AND RECOMMENDED DISPOSITION**

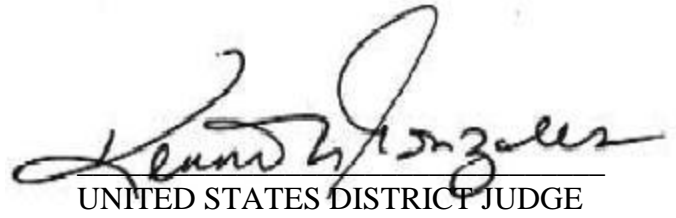
On November 26, 2018, Magistrate Judge Jerry H. Ritter filed his Proposed Findings and Recommended Disposition (*Doc. 21*), in which he recommended “that Plaintiff’s Motion to Compel Arbitration be granted in part, that this case be referred to arbitration, and that the parties meet and confer concerning the appointment of an arbitrator.” *Id.*, p. 1. The proposed findings notified the parties of their ability to file objections and that failure to do so waives appellate review. As of today, no objections have been filed and there is nothing in the record indicating that the proposed findings were not delivered.

Wherefore,

**IT IS HEREBY ORDERED AS FOLLOWS:**

1. The Magistrate Judge’s Proposed Findings and Recommended Disposition (*Doc. 21*) is **ADOPTED**;
2. Plaintiff’s Motion to Compel Arbitration (*Doc. 2*) is **GRANTED**; and

3. This case is referred to arbitration to be held in a manner consistent with the parties' Joint Status Report (*Doc. 22*), filed December 14, 2018.



UNITED STATES DISTRICT JUDGE