

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

GARY G. SLACK,	)	
	)	
Relator,	)	
	)	
v.	)	1:10CV516
	)	
BON AQUA INTERNATIONAL, INC.,	)	
AQUA DYNE INC.,	)	
CONSTANCE C. LOWENSTEIN, and	)	
GERALD H. LOWENSTEIN,	)	
	)	
Defendants.	)	

**ORDER**

The Recommendation of the United States Magistrate Judge was filed with the court in accordance with 28 U.S.C. § 636(b) and, on May 31, 2012, was served on the parties in this action. No objections were filed within the time limits prescribed by section 636.

The court has reviewed and hereby adopts the Magistrate Judge's Recommendation.

IT IS THEREFORE ORDERED that Defendants' Motion to Dismiss (Doc. 9) is GRANTED.

IT IS FURTHER ORDERED that Defendants' Motion for a Protective Order (Doc. 38); Defendants' Motion to Reset Summary Judgment Deadline; or, in the Alternative, for Leave to File Notice of Dispositive Motions (Doc. 43); Plaintiff's Motion for Summary Judgment (Doc. 46); Defendants' Motion for Summary Judgment (Doc. 49);

Defendants' Motion for Relief Pursuant to Rule 56(d) (Doc. 51); and Plaintiff's Motion to Strike Portions of Declaration of Constance C. Lowenstein under FRCP 37(c) (1) (Doc. 59) are DENIED AS MOOT.

A Judgment dismissing this action will be entered contemporaneously with this Order.

/s/ Thomas D. Schroeder  
United States District Judge

June 27, 2012