

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:10cv110-RJC-DSC**

**THE INSPIRATIONAL NETWORK, INC.,)
)
Plaintiff,)
)
vs.)
)
TMH TELEMEDIA SERVICES LIMITED)
and TMH TELEMEDIA SERVICES, INC.,)
)
Defendants.)**

ORDER

THIS MATTER is before the Court on Plaintiff’s “Motion for Sanctions Against Defendant TMH Telemedia Services Limited” (Doc. No. 32) and the Magistrate Judge’s Memorandum and Recommendation (M&R) (Doc. No. 41). Defendant TMH Telemedia Services Limited (TMH UK) did not respond to Plaintiff’s motion and has not objected to the M&R. The time for objecting has expired. For the reasons that follow, the Court ACCEPTS and ADOPTS the M&R (Doc. No. 42) and GRANTS Plaintiff’s motion.

I. BACKGROUND

Neither party has objected to the Magistrate Judge’s statement of the factual and procedural background of this case, and the Court thus adopts the facts as set forth in the M&R.

II. STANDARD OF REVIEW

The Federal Magistrate Act provides that “a district court shall make a de novo determination of those portions of the report or specific proposed findings or recommendations to which objection is made.” 28 U.S.C. § 636(b)(1); Camby v. Davis, 718 F.2d 198, 200 (4th Cir.1983). “By contrast, in the absence of a timely filed objection, a district court need not

conduct a de novo review, but instead must ‘only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.’” Diamond v. Colonial Life & Accident Ins. Co., 416 F.3d 310, 315 (4th Cir. 2005) (quoting Fed. R. Civ. P. 72 advisory committee’s note). Similarly, de novo review is not required by the statute “when a party makes general or conclusory objections that do not direct the court to a specific error in the magistrate judge’s proposed findings and recommendations.” Orpiano v. Johnson, 687 F.2d 44, 47 (4th Cir. 1982). Moreover, the statute does not on its face require any review at all of issues that are not the subject of an objection. Thomas v. Arn, 474 U.S. 140, 149 (1985); Camby, 718 F.2d at 200. Nonetheless, a district judge is responsible for the final determination and outcome of the case, and accordingly the Court has conducted a careful review of the Magistrate Judge’s M&R.

III. DISCUSSION

Pursuant to 28 U.S.C. § 636(b)(1)(c), a party is given fourteen (14) days to file specific written objections to a Magistrate Judge’s proposed findings and recommendations. See 28 U.S.C. § 636(b)(1)(c); see also, Fed. R. Civ. P. 72(b)(2). The parties were notified that objections to the M&R must be filed within this time frame. TMH UK did not file any objections as of the date of this Order. Considering no objections were filed, and after a review of the record in this case, the Court finds that the Magistrate Judge’s recommendations are consistent with and supported by law.

IV. CONCLUSION

IT IS, THEREFORE, ORDERED that:

1. The M&R is hereby **ACCEPTED AND ADOPTED**.
2. The Plaintiff’s Motion for Sanctions Against Defendant TMH UK is **GRANTED**.

3. A **DEFAULT JUDGMENT** is **ENTERED** against TMH UK in the amount of \$346,448.54.

4. TMH UK's Counterclaims are **DISMISSED WITH PREJUDICE**.

Signed: February 24, 2011



Robert J. Conrad, Jr.
Chief United States District Judge

