Warner Bros Records Inc et al v. Thunderbull Doc. 32

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA

WARNER BROS. RECORDS INC., et al.,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	Case No. CIV-04-973-C
	)	
SANDRA THUNDERBULL,	)	
	)	
Defendant,	)	
	)	
and	)	
	)	
LUCKY STAR CASINO,	)	
	)	
Garnishee	)	

O R D E R

Magistrate Judge Bana Roberts entered a Report and Recommendation on September 18, 2009, recommending that the claim for exemption be denied, for Defendant's failure to appear at the hearing and the corresponding absence of any evidence in support of her claim for exemption. On October 30, the Court received a request for new hearing, explaining her absence at the original hearing.

In light of the newly revealed facts and circumstances regarding Defendant's failure to appear at the original hearing, the Court declines to adopt the Report and Recommendation of the Magistrate Judge and instead refers the matter back to Judge Roberts for a hearing on the original claim for exemption.

IT IS SO ORDERED this 10th day of November, 2009.

ROBIN J. CAUTHRON
United States District Judge

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