

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

AMATI ENVIRONMENTAL					
ENTERPRISES, INC.,		)	)	)	)
	Plaintiff	)	)	)	)
		)	)	)	)
vs.		)	)	)	)
		)	)	)	)
WESTCHESTER FIRE INSURANCE		)	)	)	)
COMPANY,		)	)	)	)
	Defendant	)	)	)	)

**MEMORANDUM ORDER**

On July 10, 2008, this case was referred to United States Magistrate Judge Amy Reynolds Hay for pretrial proceedings in accordance with the Magistrates Act, 28 U.S.C. §§ 636(b)(1)(A) and (B), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.


On November 26, 2008, the Magistrate Judge issued a Report and Recommendation (Doc. 13) recommending that the Motions to Dismiss (Doc. 8) filed by the Defendant, Westchester Fire Insurance Company, be denied. It was also recommended that consideration of the Defendant's Alternative Motion to Transfer this matter to the Eastern District of New York (Doc. 8) be deferred pending complete resolution of the issues addressed in the Report and Recommendation. Service of the Report and Recommendation was made on the parties. Objections reiterating the argument made in support of the Motions to Dismiss were filed on December 15, 2008.

After a review of the pleadings and documents in the case, together with the Report and

Recommendation, the following ORDER is entered:

AND NOW, this <sup>5<sup>th</sup></sup> day of ~~December~~ <sup>JAN</sup> 2009, IT IS HEREBY ORDERED that the Defendant's Motion to Dismiss (Doc. 8) is DENIED. Decision on the Defendant's Alternative Motion to Transfer is DEFERRED.

The Report and Recommendation of Magistrate Judge Amy Reynolds Hay dated November 26, 2008 (Doc. 13 )is hereby adopted as the opinion of the Court.

  
Donetta W. Ambrose  
Chief Judge, United States District Court

cc:

Amy Reynolds Hay

Counsel of Record  
Via Electronic Mail

cc: Counsel of Record Via CM-ECF