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**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO**

**CAGUAS LUMBER YARD, INC. et al.,**  
**Plaintiffs,**  
**v.**  
**ACE HARDWARE CORP, et al.,**  
**Defendants.**

**Civil No. 11-1684 (GAG)**

**ORDER**

The Court, upon de novo review hereby **ADOPTS** Magistrate Judge Velez-Rive’s Report and Recommendation regarding defendant’s motion to dismiss as per Rule 12(b)(3) (Docket No. 31). The Court further **AFFIRMS** Judge Velez-Rive’s Opinion and Order denying defendants’ request for a venue change as per 28 U.S.C. § 1401 (Docket No. 30). Her reasoning on both rulings is therefore adopted. The Court further notes that in the present action (removed from Puerto Rico Superior Court) there exists a immensely strong public policy found in Law 75 to the effect that actions thereunder be litigated in Puerto Rico.

The undersigned, for purposes of its ruling, has carefully reviewed the following memoranda submitted by the parties: defendants’ Motion to Dismiss or Change of Venue (Docket No. 20), the plaintiff’s response thereto (Docket No. 26), as well as defendants’ objection to the Report and Recommendation and Appeal from Magistrate Judge’s decision (Docket No. 33). Although in this instance plaintiff has prevailed, the Court commends all counsel for their thorough, diligent and excellent work in this matter.

**SO ORDERED.**

In San Juan, Puerto Rico this 21st day of November 2011.

*s/Gustavo A. Gelpí*  
GUSTAVO A. GELPI  
United States District Judge