UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF RHODE ISLAND

IRWIN J. BARKAN and D&D BARKAN LLC

v.

CA No. 05-050L

Buty Clerk

DUNKIN DONUTS, INC. and BASKIN-ROBBINS USA, CO.

ORDER DENYING APPEAL FROM MAGISTRATE JUDGE'S ORDER

The plaintiffs' appeal from the order of Magistrate Judge Almond dated July 8, 2008 is hereby denied for reasons set forth in that order.

By Order

ENTER:

Ernest C. Torres

Emest & Soms

Senior U.S. District Judge

Date: Dec. | , 2008