

UNITED STATES DISTRICT COURT
DISTRICT OF RHODE ISLAND

INNER CITY RECYCLING SERVICE LLC,
KENNETH A. SERAPIGLIA, K&R AUTO
SALVAGE, INC., RHODE ISLAND RECYCLED
METALS, LLC, TIVERTON AUTO PARTS, INC.,
CHARLES SCRAP METAL, INC.,
Plaintiffs,

v.

No. 13-648-ML

SMM NEW ENGLAND CORP.,
Defendant.

MEMORANDUM AND ORDER

This matter is before the Court on Plaintiffs' objection to a report and recommendation issued by United States Magistrate Judge Lincoln D. Almond. See Docket # 108. Magistrate Judge Almond recommends that Defendant's motion for partial judgment on the pleadings pursuant to Fed. R. Civ. P. 12(c) be granted in part and denied in part. Id.

The Court has conducted an independent review of the report and recommendation, Plaintiffs' objection, Defendant's response in opposition to Plaintiffs' objection, and Plaintiffs' reply. The Court finds that Plaintiffs' objection is without merit.

The Court adopts Magistrate Judge Almond's detailed factual findings and legal conclusions. Defendant's motion for partial judgment on the pleadings is granted as to counts I, VIII, IX, and X and denied as to Count II.

SO ORDERED

/s/ Mary M. Lisi

Mary M. Lisi

United States District Judge

October 2, 2014