## IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF SOUTH CAROLINA CHARLESTON DIVISION

Amanda Murray,	) C.A. #2:09-1842-PMD-BM
Plaintiff,	)
vs.	) ORDER
Starbucks Corporation d/b/a Starbucks Coffee Company, Starbucks Coffee Company and Starbucks Coffee International, Inc.,	) ) )
Defendants.	) ) )

This matter is before the court upon the magistrate judge's recommendation that defendant Starbucks Corporation's motion to dismiss and/or strike be denied. The record includes the report and recommendation of the United States Magistrate Judge made in accordance with this Court's oral Order of Reference and 28 U.S.C. § 636(b).

This Court is charged with conducting a <u>de novo</u> review of any portion of the magistrate judge's report to which a specific objection is registered, and may accept, reject, or modify, in whole or in part, the recommendations contained in that report. 28 U.S.C. § 636(b)(1). No objections have been filed to the magistrate judge's report.

A review of the record indicates that the magistrate judge's report accurately summarizes this case and the applicable law. For the reasons articulated by the magistrate judge, it is **ordered** that defendant Starbucks Corporation's motion to dismiss and/or strike is **denied without prejudice** at this time, and plaintiff is ordered to file an amended complaint within twenty (20) days of this Order.

**ORDERED**, that the magistrate judge's report and recommendation is adopted as the order of this Court, and the case is referred back to Magistrate Judge Bristow Marchant for further handling.

## AND IT IS SO ORDERED.

PATRICK MICHAEL DUFFY

United States District Judge

May 5, 2010 Charleston, South Carolina