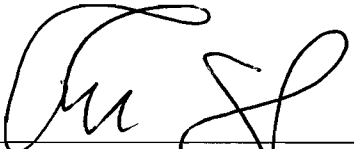


U.S.C. § 636(b)(1); accord Fed. R. Civ. P. 72(b). In the absence of a specific timely objection, “a district court need not conduct a *de novo* review, but instead must ‘only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.’” *Diamond v. Colonial Life & Accident Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005) (citing Fed. R. Civ. P. 72 Advisory Committee’s note). A district court may “accept, reject, or modify, in whole or in part, the findings or recommendations” of the Magistrate Judge. 28 U.S.C. § 636(b)(1).

The Court has reviewed the Report and Recommendation of the Magistrate Judge, the memoranda of the parties, and the controlling case law, and is satisfied that the Report and Recommendation accurately and comprehensively addresses the issues raised by the motion and appropriately concludes that the Defendants’ motion should be denied. Therefore, the Court **ADOPTS** the Report and Recommendation of the Magistrate Judge (Dkt. No. 117) as the order of the Court and Defendants’ motion for interlocutory appeal (Dkt. No. 110) is hereby **DENIED**.

AND IT IS SO ORDERED.


Richard Mark Gergel
United States District Court

September 18, 2012
Charleston, South Carolina