

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

MICHAEL W. WATKINS, et al.)	
)	
v.)	NO. 3-08-0426
)	JUDGE CAMPBELL
KAJIMA INTERNATIONAL, INC., et al.)	

ORDER

Pending before the Court are the following:

(1) Plaintiffs' Motion for the Court to Correct the Docket (Docket No. 261), which is DENIED as moot.

(2) Defendants' Motion to Dismiss (Docket No. 264), which is GRANTED as set forth below.

(3) Plaintiffs' Motion for Continuance of Discovery until March 18, 2011 (Docket No. 315), which is DENIED as moot.

(4) Plaintiffs' Motion to Allow Service by Publication (Docket No. 316), which is referred to the Magistrate Judge for decision.

(5) Plaintiffs' Notice of Motion and Motion for the Court to Reinstate Defendants for Reasons of Personal Jurisdiction and Supplemental Jurisdiction (Docket No. 318), which is DENIED for the reasons previously stated by the Court (*see* Docket Nos. 133, 231, 246, 250 and 252).

(6) A Report and Recommendation (Docket No. 368) of the Magistrate Judge and Plaintiffs' Objections thereto (Docket No. 400). The Report and Recommendation is ADOPTED and APPROVED, as set forth below.

(7) Plaintiffs' Motion to Continue Pretrial Conference and Trial Dates (Docket No. 379), which is DENIED as moot. The pretrial conference set for March 30, 2011, and the jury trial set for April 5, 2011, are canceled. The case is not ready for trial.

(8) Plaintiffs' Notice of Removal of State Cases to United States District Court (Docket No. 380), which is DENIED because Plaintiff cannot remove California state cases to a U.S. District Court in Tennessee. 28 U.S.C. § 1441(a).

(9) Plaintiffs' Motion # 2 for Leave to Amend Complaint (Docket No. 401), which is DENIED.


(10) Plaintiffs' Motion to Compel (Docket No. 402), which is DENIED as moot.

Pursuant to 28 U.S.C. § 636(b)(1), Fed. R. Civ. P. 72(b)(3) and Local Rule 72.03(b)(3), the Court has reviewed *de novo* the Report and Recommendation (Docket No. 368), the Plaintiffs' Objections (Docket No. 400), and the file.

For the reasons set forth by the Magistrate Judge (Docket No. 368), the Objections of the Plaintiffs are overruled, and the Report and Recommendation is adopted and approved. Accordingly, as set forth above, Defendants' Motion to Dismiss (Docket No. 264) is GRANTED, and Plaintiffs' claims against Defendants Kajima Building and Design Group, Inc. and Kajima USA, Inc. are DISMISSED.

This action is referred to the Magistrate Judge to determine Plaintiffs' Motion to Allow Service by Publication (Docket No. 316), and to determine which, if any, remaining Defendants have been properly served and are before the Court in this action. In addition, the Magistrate Judge shall recommend disposition of the Defendants (Lasko, Linden, Vega and Lucinda Watkins) against whom default has been entered. Docket No. 295.

IT IS SO ORDERED.


TODD J. CAMPBELL
UNITED STATES DISTRICT JUDGE