

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

LINEAGE POWER CORP.,

Plaintiff

v.

08-cv-397-slc

SYNQOR, INC., and
VICTORY SALES, INC.,

Defendants.

On January 7, 2009, Magistrate Judge Stephen L. Crocker issued a report recommending that this court transfer this case to the United States District Court for the Eastern District of Texas, Marshall Division. *See* R. 50. On January 12, 2009 the parties submitted a stipulation waiving any objections to the report and recommendation, agreeing to the immediate transfer and requesting a stay of further proceedings in this court until the transfer was accomplished. *See* R. 52. In an exception to the request for a stay, the parties separately have stipulated to the dismissal of defendant Victory Sales, Inc. from this case. *See* R. 51.

ORDER

It is ORDERED that the parties' stipulation to dismiss defendant Victory Sales, Inc. without prejudice is GRANTED;

It is FURTHER ORDERED that the January 7, 2009 report and recommendation is adopted as the court's own and defendants' joint motion to transfer this case is GRANTED; the

clerk of court is directed to transmit the case files to the United States District Court for the Eastern District of Texas, Marshall Division.

Entered this 13th day of January, 2009.

BY THE COURT:

/s/

LYNN S. ADELMAN
District Judge