

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

ARTHUR VICK, et al.

vs.

NCO FINANCIAL SYSTEMS, INC., et al.

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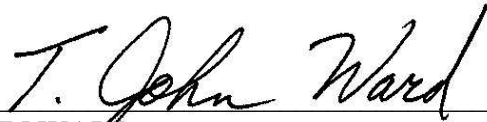
CASE NO. 2:09-CV-114-TJW-CE

**ORDER**

The above-titled and numbered civil action was referred to United States Magistrate Judge Chad Everingham pursuant to 28 U.S.C. § 636. The report of the Magistrate Judge (Dkt. No. 94) has been presented for consideration. The report recommends that the court grant-in-part and deny-in-part defendant GE Capital Financial, Inc.'s ("GE") motion for summary judgment (Dkt. No. 59) and deny as moot Plaintiffs' motion to strike the declaration of Martha Koehler (Dkt. No. 87). Neither party filed an objection to the report and recommendation.

The court is of the opinion that the conclusions of the Magistrate Judge are correct. Therefore, the court adopts the report of the United States Magistrate Judge, in its entirety, as the conclusions of this court. Accordingly, it is ORDERED that GE's motion for summary judgment is GRANTED-in-PART and DENIED-in-PART in accordance with the Magistrate Judge's recommendations and that Plaintiffs' motion to strike is DENIED as moot.

SIGNED this 28th day of March, 2011.



T. JOHN WARD  
UNITED STATES DISTRICT JUDGE