

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

WILLIAM HARMON,	§	
	§	
v.	§	Case No. 2:17-CV-00429-JRG-RSP
	§	
CARPCO EFFICIENT ENERGY CO., LLC	§	


**ORDER**

Before the Court is the Report and Recommendation of Magistrate Judge Payne, Dkt. No. 37, which recommends that Plaintiff’s motion for partial summary judgment, Dkt. No. 20, and Defendant’s motion for partial summary judgment, Dkt. No. 26, be denied. For dispositive matters referred to a Magistrate Judge, the district court must “determine de novo any part of the magistrate judge’s disposition that has been properly objected to.” Fed. R. Civ. P. 72(b)(3); 28 U.S.C. § 636(b)(1)(C). “The district judge may accept, reject, or modify the recommend disposition.” Fed. R. Civ. P. 72(b)(3); 28 U.S.C. § 636(b)(1)(C). Applying this standard, and upon de novo review, the Court finds no reason to reject or modify the Magistrate Judge’s recommended disposition.

Accordingly, it is **ORDERED**:

- (1) Carpco Efficient Energy Co., LLC’s objections, Dkt. No. 42, are **OVERRULED**.
- (2) The Magistrate Judge’s Report and Recommendation, Dkt. No. 37, is **ADOPTED**.
- (3) Plaintiff’s motion for partial summary judgment, Dkt. No. 20, is **DENIED**.
- (4) Defendant’s motion for partial summary judgment, Dkt. No. 26, is **DENIED**.

**So ORDERED and SIGNED this 9th day of February, 2018.**

  
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 RODNEY GILSTRAP  
 UNITED STATES DISTRICT JUDGE