

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

RICHARD W. WEYAND,

Plaintiff,

v.

THE HUBMAN FOUNDATION,  
TIM HUBMAN, INDIVIDUALLY  
GREAT EASTERN SECURITIES, INC.,  
PENSON FINANCIAL SERVICES, INC,  
and NAPIS, INC.,

Defendants.

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CASE NO. 4:06cv343

**MEMORANDUM ADOPTING REPORT AND  
RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE**

Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the United States Magistrate Judge pursuant to 28 U.S.C. § 636. On October 2, 2008, the report of the Magistrate Judge was entered containing proposed findings of fact and recommendations that Defendants’ Motion to Enter Judgment and to Find Facts and State Conclusions of Law (Dkt. 62) and Intervenor Chapman Group II LLC and Defendants’ Joint Motion to Find Facts and State Conclusions of Law and to Enter Partial Judgment (Dkt. 72) be DENIED.

Having received the report of the United States Magistrate Judge, and no objections thereto having been timely filed, this Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and adopts the Magistrate Judge’s report as the findings and conclusions

of the Court. Therefore, Defendants' Motion to Enter Judgment and to Find Facts and State Conclusions of Law (Dkt. 62) and Intervenor Chapman Group II LLC and Defendants' Joint Motion to Find Facts and State Conclusions of Law and to Enter Partial Judgment (Dkt. 72) are DENIED.

**IT IS SO ORDERED.**

**SIGNED this 10th day of November, 2008.**

A handwritten signature in black ink, reading "Michael H. Schneider". The signature is written in a cursive style with a horizontal line underneath it.

MICHAEL H. SCHNEIDER  
UNITED STATES DISTRICT JUDGE