

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

CLEM'S YE OLDE HOMESTEAD
FARMS, LTD., ET AL.,
Plaintiffs,

v.

BILL BRISCOE, ET AL.,
Defendants

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CIVIL NO. 4:07cv285

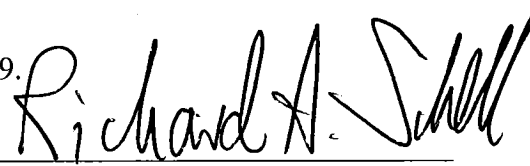
**MEMORANDUM ADOPTING REPORT AND
RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE**

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 March 4, 2009, the report of the Magistrate Judge was entered containing proposed findings of fact and recommendations that Janet Briscoe's Motion for Summary Judgment (Dkt. 277) should be GRANTED in part and DENIED in part.

The court, having made a *de novo* review of Plaintiffs' objections (Dkt. 338), is of the opinion that the findings and conclusions of the Magistrate Judge are correct, and the objections of Plaintiffs are without merit. Therefore, the court hereby adopts the findings and conclusions of the Magistrate Judge as the findings and conclusions of this court, and Janet Briscoe's Motion for Summary Judgment (Dkt. 277) is GRANTED in part and DENIED in part.

IT IS SO ORDERED.

SIGNED this 27th day of July, 2009.



RICHARD A. SCHELL
UNITED STATES DISTRICT JUDGE