

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

**FILED**  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF TEXAS

**DEC 22 2009**

K&D EQUITY INVESTMENTS, INC., §  
§  
Plaintiff, §  
§  
v. §  
§  
CANNEX THERAPEUTICS, et al., §  
§  
Defendants. §

DAVID J. MALANDRINO, CLERK  
BY  
DEPUTY  
CASE NO. 4:09cv249

**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 November 17, 2009, the report of the Magistrate Judge was entered containing proposed findings of fact and recommendations that Plaintiff's Motion to Remand and for Attorney's Fees (Dkt. 5) 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, Plaintiff's Motion to Remand and for Attorney's Fees (Dkt. 5) is DENIED.

**IT IS SO ORDERED.**

SIGNED this 21<sup>st</sup> day of December, 2009.



RICHARD A. SCHELL  
UNITED STATES DISTRICT JUDGE