

United States District Court
EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

EXPERIAN INFORMATION	§	
SOLUTIONS, INC.	§	
	§	
v.	§	Case No. 4:10-CV-144
	§	Judge Schneider/Judge Mazzant
	§	
LEXINGTON ALLEN L.P.,	§	
LEXINGTON ALLEN MANAGER LLC,	§	
and LEXINGTON REALTY TRUST	§	

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

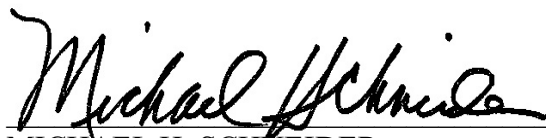
Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the United States Magistrate Judge pursuant to 28 U.S.C. § 636. On April 7, 2011, the report of the Magistrate Judge was entered containing proposed findings of fact and recommendations that the Amended Motion of Defendants Lexington Allen L.P. and Lexington Allen Manager LLC for Partial Summary Judgment (Dkt. #105) should be granted in part and denied in part.

The Court, having made a *de novo* review of the objections raised by Defendants, as well as the contingent objections of Plaintiff, is of the opinion that the findings and conclusions of the Magistrate Judge are correct, and the objections are without merit. Therefore, the Court hereby adopts the findings and conclusions of the Magistrate Judge as the findings and conclusions of this Court.

It is, therefore, **ORDERED** that the Amended Motion of Defendants Lexington Allen L.P. and Lexington Allen Manager LLC for Partial Summary Judgment (Dkt. #105) is **GRANTED** in part and **DENIED** in part. The claims for fraudulent inducement, promissory estoppel, and quantum meruit are dismissed. The claims for fraudulent omission/fraud in the performance, and Section 91.004 of the Texas Property Code remain.

It is SO ORDERED.

SIGNED this 28th day of April, 2011.


MICHAEL H. SCHNEIDER
UNITED STATES DISTRICT JUDGE