

# United States District Court

EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

EUGENE R. HAFFKE, ET AL.

§

v.

§

Case No. 4:10cv276

§

(Judge Schneider/Judge Mazzant)

§

DISCOVER FINANCIAL SERVICES

§

## 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 December 17, 2010, the report of the Magistrate Judge was entered containing proposed findings of fact and recommendations that Defendant's Motion to Dismiss Plaintiff's [sic] Amended Original Petition (Dkt. #47) should be granted and Plaintiffs' case should be dismissed with prejudice.

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.

It is, therefore, **ORDERED** that Defendant's Motion to Dismiss Plaintiff's [sic] Amended Original Petition (Dkt. #47) is **GRANTED** and this case is dismissed with prejudice.

**IT IS SO ORDERED.**

**SIGNED this 12th day of January, 2011.**



MICHAEL H. SCHNEIDER  
UNITED STATES DISTRICT JUDGE