

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

<b>FOUNTAINHEAD MANAGEMENT, INC.</b>	§	
	§	
<b>Plaintiff,</b>	§	
	§	
<b>VS.</b>	§	<b>Case No. 4:11CV623</b>
	§	
<b>SEAN ROBERTS</b>	§	
	§	
<b>Defendant.</b>	§	

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

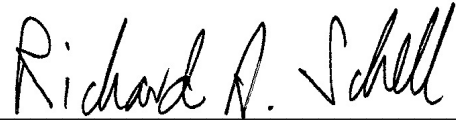
Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the United States Magistrate Judge pursuant to 28 U.S.C. § 636. On October 26, 2011, the report of the Magistrate Judge was entered containing proposed findings of fact and recommendations that Plaintiff Fountainhead Management, Inc.'s Motion to Remand and for Sanctions (Dkt. 8) be GRANTED as to the motion for remand and DENIED as to the motion for sanctions and fees, and that this matter be remanded to the County Court at Law of Cooke County, Texas.

The court has made a *de novo* review of the objections raised by Defendant and is of the opinion that the findings and conclusions of the Magistrate Judge are correct, and the objections are without merit as to the ultimate findings of the Magistrate Judge. The court hereby adopts the findings and conclusions of the Magistrate Judge as the findings and conclusions of this court.

Therefore, Plaintiff Fountainhead Management, Inc.'s Motion to Remand and for Sanctions (Dkt. 8) is GRANTED as to the motion for remand and DENIED as to the motion for sanctions and fees, and this matter shall be remanded to the County Court at Law of Cooke County, Texas.

**IT IS SO ORDERED.**

**SIGNED this the 20th day of March, 2012.**

Handwritten signature of Richard A. Schell in black ink.

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RICHARD A. SCHELL  
UNITED STATES DISTRICT JUDGE