

United States District Court
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

UNITED STATES OF AMERICA, *ex*
***rel.* TOM PROCTOR,**

Plaintiff,

v.

NEXT HEALTH LLC, *et al.*,

Defendants.

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Civil Action No. 4:17-cv-169-ALM-KPJ

MEMORANDUM ADOPTING REPORT AND
RECOMMENDATION OF 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 Magistrate Judge pursuant to 28 U.S.C. § 636. On October 21, 2022, the Magistrate Judge entered proposed findings of fact and recommendations (the “Report”) (Dkt. #197) that Defendant Semyon Narosov’s (“Narosov”) Motion to Quash Service (“Narosov’s Motion to Quash Service”) (Dkt. #187) be granted to the extent it seeks to quash Relator Tom Proctor’s (“Relator”) previous attempt at service (Dkts. #182, #183), and denied to the extent it seeks dismissal under Rule 12(b)(4) and 12(b) (5).

Having received the report of the United States Magistrate Judge, and no objections thereto having been timely filed, the 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 Narosov's Motion to Quash Service (Dkts. #187) is **GRANTED IN PART** and **DENIED IN PART**. The Motion to Quash Service (Dkt. #187) is **GRANTED** to the extent it seeks to quash Relator's previous attempt at service (Dkts. #182, #183), and **DENIED** to the extent it seeks dismissal under Rule 12(b)(4) and 12(b)(5).

IT IS SO ORDERED.

SIGNED this 6th day of January, 2023.


AMOS L. MAZZANT
UNITED STATES DISTRICT JUDGE