

**United States District Court**  
**EASTERN DISTRICT OF TEXAS**  
**SHERMAN DIVISION**

LAKE TEXOMA HIGHPORT, LLC d/b/a	§	
HIGHPORT MARINA & RESORT &	§	
HIGHPORT SOCIAL CLUB,	§	
	§	
Plaintiff,	§	<b>CIVIL ACTION NO. 4:17-CV-720</b>
	§	<b>JUDGE MAZZANT/JUDGE JOHNSON</b>
v.	§	
	§	
EVANSTON INSURANCE COMPANY and	§	
AXIS SURPLUS INSURANCE	§	
COMPANY,	§	
	§	
Defendants.	§	

**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 February 6, 2018, the report of the Magistrate Judge (Dkt. #28) was entered containing proposed findings of fact and recommendations that the parties' Stipulation of Dismissal Without Prejudice of Defendant Evanston Insurance Company (Dkt. #27) should be **GRANTED**.


Having received the report of the United States Magistrate Judge, 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. Therefore, the parties' Stipulation of Dismissal Without Prejudice of Defendant Evanston Insurance Company (Dkt. #25) is **GRANTED**.

Accordingly, it is hereby **ORDERED, ADJUDGED, AND DECREED** that Defendant Evanston Insurance Company is **DISMISSED WITHOUT PREJUDICE** from this action. Each party shall bear its own costs.

The Clerk is directed to remove Defendant Evanston Insurance Company from this civil action.

**IT IS SO ORDERED.**

**SIGNED this 8th day of February, 2018.**

  
AMOS L. MAZZANT  
UNITED STATES DISTRICT JUDGE