

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
LUFKIN DIVISION

ASHLEY CARTWRIGHT §  
v. § CIVIL ACTION NO. 9:09CV205  
AMERICAN HONDA MOTOR CO., INC. §

ORDER ADOPTING REPORT AND  
RECOMMENDATION OF UNITED STATES  
MAGISTRATE JUDGE

The Report and Recommendation of the Magistrate Judge, which contain her findings, conclusions, and recommendation for the disposition of this matter has been presented for consideration. The Report and Recommendation recommends that the Motion for Summary Judgment (document #41) be granted in part and denied in part. Defendant filed written objections (document #145) on February 1, 2012.

Having made a *de novo* review of the written objections filed by Defendant, the Court finds that the findings and conclusions of the Magistrate Judge are correct and the objections are without merit. The Court therefore adopts the findings and conclusions of the Magistrate Judge as those of the Court.

In light of the foregoing, it is

**ORDERED** that the Motion for Summary Judgment (document #41) is **GRANTED** in part and **DENIED** in part. The motion is granted as to Plaintiff’s manufacturing and marketing defect

claims. Plaintiff's manufacturing and marketing defect claims are **DISMISSED** with prejudice. The motion for summary judgment is denied as to Plaintiff's design defect claim.

So **ORDERED** and **SIGNED** this **14** day of **February, 2012**.

A handwritten signature in black ink, appearing to read "Ron Clark". The signature is written in a cursive style with a large initial "R".

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Ron Clark, United States District Judge