

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
AMARILLO DIVISION

LOFTY, LLC,

Plaintiff,

v.

MCKELLY ROOFING, LLC,

Defendant.

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2:17-CV-159-D

**ORDER**

After making an independent review of the pleadings, files, and records in this case, and the September 14, 2018 findings, conclusions, and recommendation of the magistrate judge, the court concludes the magistrate judge’s findings and conclusions are correct. The recommendation of the magistrate judge is adopted, and plaintiff’s August 6, 2018 motion to dismiss all pending claims without prejudice is denied.

**SO ORDERED.**

October 17, 2018.

  
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SIDNEY A. FITZWATER  
SENIOR JUDGE