

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION**

BEN E. KEITH COMPANY,

Plaintiff,

v.

BOSTON MARKET CORPORATION,

et al.,

Defendant.

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Civil Action No. 4:22-cv-00868

**ORDER ACCEPTING FINDINGS, CONCLUSIONS, AND RECOMMENDATION
OF THE UNITED STATES MAGISTRATE JUDGE**

The United States Magistrate Judge made Findings, Conclusions, and a Recommendation in this case. No objections were filed, and the Magistrate Judge’s Recommendation is ripe for review. The District Judge reviewed the proposed Findings, Conclusions, and Recommendation for plain error. Finding none, the undersigned District Judge believes that the Findings and Conclusions of the Magistrate Judge are correct, and they are accepted as the Findings and Conclusions of the Court.

Accordingly, it is **ORDERED** that Plaintiff’s Motion for Partial Summary Judgment on PACA Trust Claims and for Order Directing the Release of PACA Funds in the Registry of the Court (ECF No. 35) is **GRANTED in PART** and **DENIED in PART**, and Plaintiff’s Motion for Summary Judgment on Non-PACA Related Claims (ECF No. 47) is **GRANTED**.

SO ORDERED on this 25th day of September, 2023.


Reed O’Connor
UNITED STATES DISTRICT JUDGE