UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
GALVESTON DIVISION

INTREPID SHIP MANAGEMENT, INC., *et al*,	§	
	§	
Plaintiffs,	§	
VS.	§	CIVIL ACTION NO. 3:12-CV-243
	§	
PLANT RECOVERY COMPANY, *et al*,	§	
	§	
Defendants.	§	

ORDER AND OPINION ON
MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION

The Court has considered the Report and Recommendation by the United States Magistrate Judge John R. Froeschner (Dkt. 189), the Objections filed thereto, the relevant briefing and responses, and the argument of counsel.

Pending before Judge Froeschner were the Motions for Summary Judgment filed by Malin International Ship Repair & Drydock, Inc. ("Malin") and Crowley Maritime Corp. ("Crowley") (Dkt. 111, 117). On March 6, 2015, Judge Froeschner filed a Report and Recommendation, recommending that these motions for summary judgment be granted because Defendants PRC Environmental, Inc. ("PRC") and Prospector Rig MGT, LLC ("PRM") lack standing. (Dkt. 189).

In accordance with 28 U.S.C. § 636(b)(1), this Court is required to "make a *de novo* determination of those portions of the [magistrate judge's] report or specified proposed findings or recommendations to which objection [has been] made." In this regard, the Court is permitted to "accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge." *Id.*; *see also* FED. R. CIV. P. 72(b)(3). The Court need not, however, consider

objections that are conclusive, general in nature or frivolous. *See Battle v. Wainwright*, 677 F.2d 404, 410 n.8 (5th Cir. Unit B 1982) (en banc) (overruled on other grounds); *Mosley v. Quarterman*, 306 F. App'x 40, 42 n. 2 (5th Cir. 2008).

After careful consideration of the Objections, the responses, the pleadings in this case, and the arguments of the parties, the Court accepts the Magistrate Judge's Recommendation.

Based on the pleadings, the record and the applicable law, the Court finds that Judge Froeschner's Report and Recommendation is well-grounded in law and in fact. Accordingly, it is hereby **ORDERED** AND **ADJUDGED** that:

(1) Judge Froeschner's Report and Recommendation (Dkt. 189) is **APPROVED AND ADOPTED** in its entirety as the holding of the Court; and

(2) The objections to Judge Froeschner's Report and Recommendation are **OVERRULED**.

It is so **ORDERED**.

SIGNED at Galveston, Texas on March 28 2016.

George C. Hanks

GEORGE C. HANKS, JR.
UNITED STATES DISTRICT JUDGE