

United States District Court  
Southern District of Texas

**ENTERED**

July 05, 2019

David J. Bradley, Clerk

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

ROBERT HACK,

Plaintiff,

VS.

THEODORE M. WRIGHT, *et al*,

Defendants.

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CIVIL ACTION NO. 4:14-CV-3442

**ORDER ADOPTING REPORT AND RECOMMENDATION**

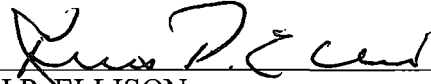
Pending before the Court is Defendants' Motion to Dismiss (Doc. No. 29), which had been referred to Magistrate Judge Dena Hanovice Palermo for a report and recommendation. On May 29, 2019, Judge Palermo issued the Report and Recommendation on Plaintiff's Motion to Remand (Doc. No. 40), recommending that the Motion to Dismiss be granted. The time for filing objections has passed, and no objections were filed.

Pursuant to Federal Rule of Civil Procedure 72(b), the Court has reviewed the Report and Recommendation for clear error. Finding no clear error, the Court adopts the Report and Recommendation in its entirety. Accordingly, Defendants' Motion to Dismiss (Doc. No. 29) is hereby granted. Plaintiff is granted leave to amend by July 19, 2019. Plaintiff is ordered to notify the Court, no later than July 1, 2019:

- a. Whether he will amend the complaint based on documents Defendants recently produced, or
- b. Whether he intends to make a Section 220 demand, and
- c. Whether he needs a stay for the company to respond to his demand.

**IT IS SO ORDERED.**

**SIGNED** at Houston, Texas, on this the 5th day of July, 2019.

A handwritten signature in black ink, appearing to read "Keith P. Ellison", written over a horizontal line.

KEITH P. ELLISON  
UNITED STATES DISTRICT JUDGE