

United States District Court  
Southern District of Texas

**ENTERED**

October 10, 2019

David J. Bradley, Clerk

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

ALEXANDER WILD,

Plaintiff,

VS.

ROBERT WAGER; dba PROSCAPE LAWN  
& LANDSCAPE SERVICES LLC, *et al*,

Defendants.

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CIVIL ACTION NO. 4:17-CV-2606

**ORDER ADOPTING MEMORANDUM AND ORDER**

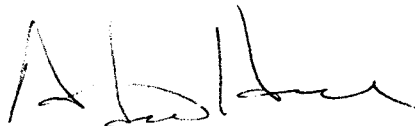
Pending before the Court in the above referenced proceeding is Plaintiff's Motion for Partial Summary Judgment as to Defendants Josh David Ramby and Rethink Local, LLC (Doc. No. 26); and Judge Stacy's Memorandum and Recommendation (Doc. No. 32) that the Court deny the Motion for Partial Summary Judgment. Defendants did not file a response to the Motion for Summary Judgment. No objections were filed to the Memorandum and Recommendation and the time for doing so has passed.

Upon review, the Court agrees with the Magistrate Judge's conclusion that, because none of the referenced exhibits to the motion have been filed for the Court to appropriately consider them in connection with the Plaintiff's motion. However, Plaintiff has subsequently filed a Renewed Motion for Partial Summary Judgment (Doc. No. 35) curing the issue of exhibits. Accordingly, it is hereby

**ORDERED** that the Memorandum and Recommendation (Doc. No. 32) is **ADOPTED** and Plaintiff's Motion for Partial Summary Judgment as to Defendants Josh David Ramby and Rethink Local, LLC (Doc. No. 26) is **DENIED** without prejudice to the motion being re-filed with the referenced exhibits/evidence attached. It is further

**ORDERED** that Magistrate Judge Stacy will continue to handle this case, including the issuance of a Memorandum and Recommendation with respect to Plaintiff's Renewed Motion for Partial Summary Judgment (Doc. No. 35).

SIGNED at Houston, Texas, this 10<sup>th</sup> day of October 2019.



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ANDREW S. HANEN  
UNITED STATES DISTRICT JUDGE