

United States District Court
Southern District of Texas

ENTERED

February 09, 2022

Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

ALEJANDRO EVARISTO PEREZ,

Plaintiff,

VS.

DISNEY CORPORATION, *et al.*,

Defendants.

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CIVIL ACTION NO. 4:21-CV-00765

ORDER ADOPTING MEMORANDUM AND RECOMMENDATION

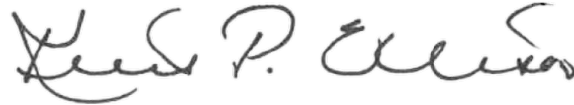
Before the Court is the Motion to Dismiss filed by Defendant The Walt Disney Company (“TWDC”). (Doc. 7.) This case was referred to Magistrate Judge Sam Sheldon in accordance with 28 U.S.C. § 636(b)(1), the Cost and Delay Reduction Plan under the Civil Justice Reform Act, and Federal Rule of Civil Procedure 72. (Doc. 18.) On November 15, 2021, Judge Sheldon issued a Memorandum and Recommendation (M&R), recommending that TWDC’s Motion to Dismiss be granted. (Doc. 42). Plaintiff filed his objections on November 26, 2021. (Doc. 43.) TWDC filed its response on December 10, 2021. (Doc. 45.) Plaintiff filed his reply in support of his objections on December 15, 2021. (Doc. 48.) The case was reassigned to this Court after Judge Eskridge’s recusal on January 24, 2022. The Court held a hearing on Plaintiff’s objections on February 8, 2022.

As required by 28 U.S.C. § 636(b)(1)(C), the Court has conducted a *de novo* review of the portions of the M&R to which Plaintiff has objected. However, the Court agrees with the conclusions, and the reasoning, of the M&R. Accordingly, the Court hereby **ADOPTS** the M&R in full. It is therefore **ORDERED** that: (1) Plaintiff’s objections to the M&R (Doc. 43) are

OVERRULED; (2) Defendant's Motion to Dismiss (Doc. 7) is **GRANTED**; (3) the case is **DISMISSED WITH PREJUDICE**; and (4) all other pending motions are **DENIED AS MOOT**.

IT IS SO ORDERED

SIGNED at Houston, Texas, on this the 9th day of February, 2022.

A handwritten signature in black ink, appearing to read "Keith P. Ellison". The signature is written in a cursive style with a horizontal line underneath it.

KEITH P. ELLISON
UNITED STATE DISTRICT JUDGE