IN THE UNITED STATES COURT FOR THE DISTRICT OF UTAH

CENTRAL DIVISION

ROBERT AUSTIN BARTLETT, Plaintiff, vs. THOMAS EDWARD WELLS and RUTH ALICE WELLS FAMILY TRUSTS & RUTH SIXSTONE-WELLS JOINT AND SEVERAL; ROKNEBO, INC; RUTH SIXSTONE-WELLS; YARN COMPANY OF PALM DESERT, LLC; MAHLER CORPORATION; MATT H. MORRIS; THE J. WELLS & WELLS COLLECTION; AND DOES 1-10; Defendants.	ORDER ADOPTING REPORT AND RECOMMENDATION Case No. 2:08 CV 367 TC

The court referred this case to Magistrate Judge Samuel Alba pursuant to the provisions of 28 U.S.C. § 636(b)(1)(B). On April 9, 2009, Judge Alba, in a very thorough Report and Recommendation, recommended that: (1) Defendants' Motion to Dismiss (Dkt. #8) be GRANTED; (2) Defendant's request for sanctions (Dkt. #8) be GRANTED; (3) Plaintiff be required to pay Defendants' costs and attorney fees associated with Defendants' Motion to Dismiss; (4) Plaintiff's Motion for Voluntary Dismissal of Certain Defendants and for Sanctions be DENIED; and (5) Plaintiff's complaint be DISMISSED with prejudice.

The parties were given ten days to file objections to the Report and Recommendation and were cautioned that failure to file an objection could constitute waiver thereof upon subsequent review. No objections have been filed.

The court has carefully reviewed the Report and Recommendation[1] in this matter and relevant materials in the file and agrees with the recommendation of the Magistrate Judge. The Report and Recommendation is adopted as the order of the court. (1) Defendants' Motion to Dismiss is GRANTED; (2) Defendant's request for sanctions is GRANTED; (3) Plaintiff is ordered to pay Defendants' costs and attorney fees associated with Defendants' Motion to Dismiss; (4) Plaintiff's Motion for Voluntary Dismissal of Certain Defendants and for Sanctions is DENIED; and (5) Plaintiff's complaint is DISMISSED with prejudice.

IT IS SO ORDERED THIS 28th day of April, 2009.

BY THE COURT:

Tena Campbell

TENA CAMPBELL
Chief Judge

[1](Dkt. 24)