
IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF UTAH
CENTRAL DIVISION

HOMEWORX FRANCHISING, LLC,

Plaintiff,

v.

**DODGE MEADOWS, and STEVE
HOFER, an individual and dba
HOMEWORX OF DENVER,**

Defendants.

DODGE MEADOWS,

Counterclaim Plaintiff,

v.

**HOMEWORX FRANCHISING, LLC;
AXIS POINT INC; BLUM CAPITAL
PARTNERS, LP;**

**ORDER AFFIRMING
REPORT & RECOMMENDATION**

Case No. 2:09CV11DAK

This case was assigned to United States District Court Judge Dale A. Kimball, who then referred it to United States Magistrate Judge Paul Warner under 28 U.S.C. § 636(b)(1)(B). On October 14, 2010, Magistrate Judge Warner issued a Report and Recommendation, recommending that the court deny Counterclaim Defendant's Motion to Dismiss the Amended Counterclaim, grant Counterclaim Defendants' Motion for More Definite Statement, and deny Dodge Meadows's Motion for Default Judgment as to Axis Point, Inc. and Blum Capital Partners.

The Report and Recommendation notified the parties that any objection to the Report and Recommendation was required to be filed within ten days of receiving it. The court has not received any objections to the Report and Recommendation.

The court has reviewed the case *de novo* and agrees with the analysis of the Report and Recommendation in its entirety. The court, therefore, adopts the Report and Recommendation as the Order of the court. Accordingly, Counterclaim Defendant's Motion to Dismiss the Amended Counterclaim is DENIED, Counterclaim Defendants' Motion for More Definite Statement is GRANTED, and Dodge Meadows's Motion for Default Judgment as to Axis Point, Inc. and Blum Capital Partners is DENIED.

DATED this 17th day of November, 2010.

BY THE COURT:

A handwritten signature in black ink, reading "Dale A. Kimball", written over a horizontal line.

DALE A. KIMBALL
United States District Judge