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FILED
 U.S. DISTRICT COURT

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DISTRICT OF UTAH

BY: _____
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Attorneys for Defendant Express Recovery Services, Inc.

**IN THE UNITED STATES DISTRICT COURT
 DISTRICT OF UTAH, CENTRAL DIVISION**

SENEUEFA FARANI,

Plaintiff,

v.

EXPRESS RECOVERY SERVICES,
 INC., EDWIN B. PARRY, THE LAW
 OFFICES OF EDWIN B. PARRY, and
 Does 1-20,

Defendants.

**[PROPOSED] ORDER ACCEPTING
 AND ADOPTING THE
 MAGISTRATE JUDGE'S REPORT
 AND RECOMMENDATION**

Case No.: 2:10-CV-331

Judge Dee Benson
 Magistrate Judge Paul M. Warner

Before the Court is the Report and Recommendation (Dkt. No. 54) issued by Magistrate Judge Paul Warner in this matter on October 21, 2011, recommending that Defendant Express Recovery Services, Inc.'s ("Express Recovery") Motion for Sanctions be granted, that Plaintiff's Complaint be dismissed with prejudice as a sanction for failing to obey the Court's discovery order, and that Express Recovery be granted a sanctions award against Plaintiff's counsel personally. Plaintiff filed an objection to the Magistrate Judge's Report and Recommendation (Dkt. No. 57), to which Express Recovery filed a response (Dkt. No. 59). The Court heard oral argument concerning Plaintiff's objection on December 13, 2011.

Having fully reviewed the matter de novo pursuant to Fed. R. Civ. P. 72(b)(3), the Court ACCEPTS and ADOPTS the Report and Recommendation in full as written by the Magistrate Judge. Accordingly, for the reasons set forth in the Report and Recommendation, and those stated on the record at the December 13, 2011 hearing,

IT IS HEREBY ORDERED that Express Recovery's Motion for Sanctions (Dkt. No. 31) is GRANTED;

IT IS FURTHER ORDERED that Plaintiff's Complaint is DISMISSED WITH PREJUDICE in its entirety;

IT IS FURTHER ORDERED that Express Recovery is granted an award of sanctions against Plaintiff's counsel personally for its reasonable expenses, including attorney fees, incurred in this case after the Magistrate Judge's June 9, 2011 Order. The parties have stipulated that this amount shall be \$6,750;

IT IS FURTHER ORDERED that the Clerk of the Court shall close this case forthwith.

DATED this 3rd day of January, 2012.



Dee Benson
United States District Court Judge

APPROVED AS TO FORM:

STEFFENSEN LAW OFFICE

/s/ Brian W. Steffensen*
Brian W. Steffensen
Attorneys for Plaintiff

*Signed by filing attorney with permission from Brian W. Steffensen

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