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U.S. DISTRICT COURT

2012 FEB 24 A 11:05

DISTRICT OF UTAH

BY: \_\_\_\_\_  
DEPUTY CLERK

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

ALEEN GORTAT,  
Plaintiff,

vs.

DICKENSON FINANCIAL; JOHNSON  
MARK, LLC; WILLIAM A. MARK; and  
DOES 1 THROUGH 10,  
Defendants.

ORDER ADOPTING REPORT &  
RECOMMENDATION

Case No. 2:11-cv-0016  
Judge Dee Benson

Before the court is the Report and Recommendation issued by United States Magistrate Judge Paul M. Warner on January 27, 2012, recommending that this court: (1) deny plaintiff's motion for entry of default as to Dickenson Financial ("DF") (Dkt. No. 9); (2) grant defendants' motions to dismiss (Dkt. Nos. 10, 18), and plaintiff's complaint be dismissed with prejudice; and (4) deem moot defendants' motion to strike plaintiff's response to one of their motions to dismiss (Dkt. No. 9).

The parties were notified of their right to file objections to the Report and



Recommendation within fourteen (14) days after receiving it. Plaintiff Wayman failed to file an objection to the Magistrate's Report and Recommendations by 2/10/2012.

Having reviewed all relevant materials, including the record that was before the magistrate judge, and the reasoning set forth in the magistrate judge's Report and Recommendation, the court agrees with the analysis and conclusion of the magistrate judge. Accordingly, the court ADOPTS the Report and Recommendation and issues the following Order. Plaintiff's motion for entry of default as to DF (Dkt. No. 9) be DENIED. Defendants' motions to dismiss (Dkt. Nos. 10, 18) be GRANTED, and plaintiff's complaint be DISMISSED WITH PREJUDICE. Defendants' motion to strike plaintiff's response to one of their motions to dismiss (Dkt. No. 23) be deemed MOOT. The Clerk of the Court shall enter judgment against plaintiff and close this case.

DATED this 24th day of February, 2012.

A handwritten signature in black ink, reading "Dee Benson", written over a horizontal line.

Dee Benson  
United States District Judge