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

CRICKET COMMUNICATIONS, INC., a Delaware corporation, Petitioner, vs. ALL YOU CAN TALK PARTNERS, INC., a Utah corporation; and WILLIAM H. CURTIS, an individual residing in Utah, Respondents.	**ORDER** Case No. 2:11-cv-315 Judge Dee Benson

Before the court is the Report and Recommendation issued by United States Magistrate Judge Paul M. Warner on September 12, 2011, recommending that Petitioner's motion to confirm the parties' arbitration award and enter judgment be granted, William H. Curtis's motion to vacate the parties' arbitration award, for a hearing, and for limited discovery be denied, and that Petitioner be granted an award of its attorneys' fees and costs incurred in seeking to confirm the arbitration award and in opposing Mr. Curtis's motion to vacate the award, in an amount to be established at a later date. Magistrate Judge Warner also recommends the court enter judgment for Petitioner against Respondents in the full amount of the arbitration award, $1,338,099.93.

The parties were notified of their right to file objections to the Report and Recommendation within fourteen (14) days after receiving it. On September 20, 2011, Mr.

Curtis filed an objection to the Report and Recommendation. On September 27, 2011, Petitioner filed a response to Mr. Curtis's objection to the Report and Recommendation. Federal Rule of Civil Procedure 72(b) requires the court to review "de novo any part of the magistrate judge's disposition that has been properly objected to." As part of this review the court "may accept, reject, or modify the recommended disposition." Fed. R. Civ. P. 72(b)(3).

Having reviewed all relevant materials, including Mr. Curtis's *pro se* objection and Petitioner's response, motions and supporting memoranda, 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 enters the following order:

(1) Petitioner's motion to confirm the parties' arbitration award and enter judgment is GRANTED. Judgment is entered for Petitioner and against Respondents in the full amount of the arbitration award, $1,338,099.93.

(2) Mr. Curtis's motion to vacate the parties' arbitration award, for a hearing, and for limited discovery is DENIED.

(3) Petitioner is GRANTED an award of attorneys' fees and costs incurred in seeking to confirm the arbitration award and in opposing Mr. Curtis's motion to vacate the award, in an amount to be established by the court at a later date.

DATED this 29th day of September, 2011.

Dee Benson

Dee Benson
United States District Judge