

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

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| <p>JEFFERY L. KIRK, Plaintiff,</p> <p>vs.</p> <p>ROCKWELL COLLINS, INC.; DOES 1-10; ENTITIES 1-10, Defendants.</p> | <p>ORDER ADOPTING REPORT AND RECOMMENDATION</p> <p>Case No. 2:12-CV-1107 Judge Dee Benson</p> |
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Before the court is the Report and Recommendation issued by United States Magistrate Judge Paul M. Warner on July 17, 2013, recommending that this court: (1) deny Plaintiff's motion to remand; (2) order the Clerk of the Court to correct the docket sheet to indicate that the basis for this court's jurisdiction in this matter is diversity of citizenship; and (3) order the Clerk of the Court to correct both the civil cover sheet and the docket sheet in this case to reflect plaintiff's jury demand.

The parties were notified of their right to file objections to the Report and Recommendation within fourteen (14) days after receiving it. On August 1, 2013, the Plaintiff filed his "Objection to Report and Recommendation." (Dkt. No. 30.) On August 14, 2013,

Defendant Rockwell Collins, Inc. filed its “Response to Plaintiff’s Objection to Report and Recommendation.” (Dkt. No. 32.)

Having reviewed all relevant materials, including Plaintiff’s *pro se* objection, Defendant’s response, 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. Moreover, as Defendant points out in its Response, the arguments raised in Plaintiff’s Objection are not supported by any legal authority and were carefully considered and rejected by the magistrate judge.

Accordingly, the court ADOPTS the Report and Recommendation and issues the following Order. Plaintiff’s motion to remand is DENIED. The Clerk of the Court is ordered to correct the docket sheet to indicate that the basis for this court’s jurisdiction in this matter is diversity of citizenship. The Clerk of the Court is further ordered to correct both the civil cover sheet and the docket sheet in this case to reflect Plaintiff’s jury demand.

DATED this 16th day of August, 2013.



Dee Benson
United States District Judge