

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF IDAHO

SCOTT READ, et al.,)	
)	Case No. CV08-099-E-EJL-REB
Plaintiffs,)	
)	ORDER ADOPTING REPORT
v.)	AND RECOMMENDATION
)	
TETON SPRINGS GOLF & CASTING)	
CLUB, LLC; et al.,)	
)	
Defendants.)	
<hr/>		
CHRIS HAMABE, et al.,)	
)	
Plaintiffs,)	
)	
v.)	
)	
TETON SPRINGS GOLF & CASTING)	
CLUB, LLC; et al.,)	
)	
Defendants.)	
<hr/>		

On February 17, 2010, United States Magistrate Judge Ronald E. Bush issued a Report and Recommendation, recommending that Defendants' motion to dismiss be denied without prejudice. Any party may challenge a Magistrate Judge's proposed recommendation regarding by filing written objections within ten days after being served with a copy of the magistrate's Report and Recommendation. 28 U.S.C. § 636(b)(1)(C). The district court must then "make a de novo determination of those portions of the report or specified proposed

findings or recommendations to which objection is made.” Id. The district court may accept, reject, or modify in whole or in part, the findings and recommendations made by the magistrate. Id.; see also Fed. R. Civ. P. 72(b).

No objections to the report and recommendation were filed. The parties have submitted a joint status report as to the pending motions in this case that states the parties agree that the Defendants’ motion to dismiss (Dkt. No. 210) has been addressed by Judge Bush’s report and recommendation. (Dkt. No. 378). The Court has also reviewed the report and recommendation, the parties’ briefing on the motions, briefing, and the entire record in this matter. Based upon this review, the Court finds the report and recommendation has correctly decided the motion.

ORDER

Having conducted a *de novo* review of the Report and Recommendation, this Court finds that Magistrate Judge Bush’s Report and Recommendation is well founded in law and consistent with this Court’s own view of the evidence in the record. Acting on the recommendation of Magistrate Judge Bush, and this Court being fully advised in the premises, **IT IS HEREBY ORDERED** that the Report and Recommendation entered on February 17, 2010, (Dkt. No. 370), should be, and is hereby, **INCORPORATED** by reference and **ADOPTED** in its entirety.

THEREFORE, IT IS HEREBY ORDERED that Defendants' Motion to Dismiss (Dkt. No. 210) is **DENIED WITHOUT PREJUDICE**.



DATED: **March 9, 2010**

A handwritten signature in black ink, reading "Edward J. Lodge".

Honorable Edward J. Lodge
U. S. District Judge