



WADI Food Industries CO. S.A.E. v. Barclays Bank Delaware et al

2019 | Cited 0 times | E.D. Virginia | May 17, 2019

UNITED STATES DISTRICT COURT EASTERN DISTRICT OF VIRGINIA

Norfolk Division WADI FOOD INDUSTRIES CO. S.A.E.,

Plaintiff, V. Civil Action No. 2:18cv554 BARCLAYS BANK DELAWARE, et al..

Defendants.

ORDER This matter comes before the court on Defendant Barclays Bank Delaware's ("Barclays") Motion to Dismiss ("Motion") and accompanying Memorandum in Support, filed on February 4, 2019. EOF Nos. 34-35. On March 1, 2019, the Motion was referred to a United States Magistrate Judge, pursuant to the provisions of 28 U.S.C. § 636(b) (1) (B) and Federal Rule of Civil Procedure 72(b), to conduct hearings, including evidentiary hearings, if necessary, and to submit to the undersigned district judge proposed findings of fact, if applicable, and recommendations for disposition of the Motion. ECF No. 44.

The United States Magistrate Judge's Report and Recommendation ("R&R") was filed on May 2, 2019. ECF No. 51. The Magistrate Judge recommended that this court deny Barclays's Motion. Id. at 1. The parties were advised of their right to file written objections to the findings and recommendations made by the

Magistrate Judge. Id. at 22. The court has received no objections to the R&R, and the time for filing same has expired.

Absent a specific and timely filed objection, this court reviews the findings and recommendations of the Magistrate Judge only for "clear error." *Diamond v. Colonial Life & Accident Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005). The court has reviewed the R&R, and finds no clear error therein. Accordingly, the court does hereby ADOPT AND APPROVE IN FULL the findings and recommendations set forth in the R&R filed on May 2, 2019. Barclays's Motion to Dismiss, EOF No. 34, is DENIED.

The Clerk is DIRECTED to forward a copy of this Order to counsel for the parties.

IT IS SO ORDERED.



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JsL

REBECCJ REBECCA

Rebecca Beach Smith United States District Judge BEACH SMITH UNITED STATES DISTRICT
JUDGE

