

ENTERED

May 20, 2025

Nathan Ochsner, Clerk

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
GALVESTON DIVISION**TONY JURISICH, *et al.*,

Plaintiffs

V.

SUNLAND CONSTRUCTION, INC.,
et al.,

Defendants.

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CIVIL ACTION NO. 3:24-cv-316

**ORDER ADOPTING MAGISTRATE JUDGE'S
MEMORANDUM AND RECOMMENDATION**

On April 29, 2025, all non-dispositive pretrial matters in this case were referred to United States Magistrate Judge Andrew M. Edison under 28 U.S.C. § 636(b)(1)(A). Dkt. 29. Judge Edison filed a memorandum and recommendation on May 2, 2025, recommending that Sunland Construction, Inc. and Florida Gas Transmission Company, LLC's Motion to Dismiss (Dkts. 23, 24) be denied. *See* Dkt. 30.

On May 15, 2025, Defendants filed their objections to the memorandum and recommendation. *See* Dkts. 31, 32. In accordance with 28 U.S.C. § 636(b)(1)(C), this court is required to "make a de novo determination of those portions of the [magistrate judge's] report or specified proposed findings or recommendations to which objection [has been] made." After conducting this de novo review, the court may "accept, reject, or modify, in whole or in part, the findings or

recommendations made by the magistrate judge.” *Id.*; *see also* Fed. R. Civ. P. 72(b)(3).

The court has carefully considered the objections; the memorandum and recommendation; the pleadings; and the record. The court accepts Judge Edison’s memorandum and recommendation and adopts it as the opinion of the court. It is therefore ordered that:

(1) Judge Edison’s memorandum and recommendation (Dkt. 30) is approved and adopted in its entirety as the holding of the court; and

(2) Defendants’ Motion to Dismiss (Dkts. 23, 24) is denied.

SIGNED on Galveston Island this 20th day of May 2025.



JEFFREY VINCENT BROWN
UNITED STATES DISTRICT JUDGE