

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

DIRECTV, LLC a California limited liability)
company,)

Plaintiff,)

v.)

VICTOR A SPINA also known as VICTOR A)
SPINA, JR.; individually, and as officer,)
director, shareholder, principal, manager,)
and/or member of Martinsville Corral, Inc.,)
MARTINSVILLE CORRAL, INC. also known)
as SHELBYVILLE TEXAS CORRAL; doing)
business as TEXAS CORRAL,)
WILLIAM SPINA also known as WILLIAM)
ANTHONY SPINA, JR.,)

Defendants.)

MARTINSVILLE CORRAL, INC.,)

Counter Claimant,)

v.)

DIRECTV, LLC a California limited liability)
company,)

Counter Defendants.)

No. 1:15-cv-00104-JMS-TAB

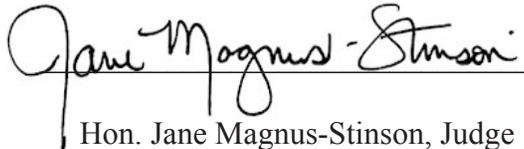
ORDER ADOPTING REPORT AND RECOMMENDATION

The Magistrate Judge submitted his Report and Recommendation on two pending motions to dismiss. He recommended that Defendants Victor and William Spinas' motion to dismiss [Filing Nos. 15, 35] be granted in part and denied in part, such that DirecTV's conversion claim should be dismissed and the interception claim should proceed forward.

As to DirecTV's motion to dismiss MCI's counterclaims [Filing No. 22] the Magistrate Judge recommended that the motion should be granted. MCI's tortious interference with business

relationship and abuse of process claims should be dismissed with prejudice. MCI's breach of contract claim should be dismissed without prejudice. The parties were afforded due opportunity pursuant to statute and the rules of this Court to file objections; none were filed. The Court, having considered the Magistrate Judge's Report and Recommendation, hereby adopts the Magistrate Judge's Report and Recommendation

Date: August 27, 2015

A handwritten signature in black ink that reads "Jane Magnus-Stinson". The signature is written in a cursive style with a horizontal line underneath the name.

Hon. Jane Magnus-Stinson, Judge
United States District Court
Southern District of Indiana

Distribution:

Julie Cohen Lonstein
LONSTEIN LAW OFFICE
legal@signallaw.com

Paul B. Overhauser
OVERHAUSER LAW OFFICES, LLC
poverhauser@overhauser.com