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COUNSEL FOR PLTFF(S):

COUNSEL FOR DFT(S):

PLTFF PRO SE: _____

DFT. PRO SE: _____

DATE: 11/1/06

BY: NMM

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
SIRIUS AMERICA INSURANCE COMPANY, :
 :
 : Plaintiff, :
 : v. :
 :
 : SCPIE INDEMNITY COMPANY, :
 :
 : Defendant. :
-----X

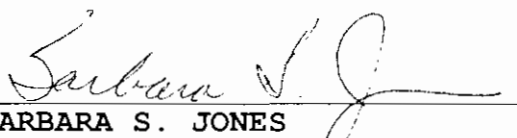
05 Civ. 7923 (BSJ) (GWG)

ORDER

BARBARA S. JONES
UNITED STATES DISTRICT JUDGE

After having reviewed Magistrate Judge Gabriel W. Gorenstein's Report and Recommendation dated September 13, 2006, and having received no objections thereto, I hereby confirm and adopt the Report in its entirety, having been satisfied that there is no clear error on the face of the record. See Nelson v. Smith, 618 F. Supp. 1186, 1189 (S.D.N.Y. 1985). Accordingly, Defendant SCPIE Indemnity Company's motion to dismiss for lack of personal jurisdiction under Federal Rule of Civil Procedure 12(b)(2) is DENIED.

SO ORDERED:


BARBARA S. JONES
UNITED STATES DISTRICT JUDGE

Dated: New York, New York
November 1, 2006

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