

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE**

SEC. & EXCH. COMM'N,)	
Plaintiff,)	
)	
v.)	No. 3:08-cv-209
)	(Phillips/Guyton)
LANDOAK SEC., LLC,)	
PATRICK L. MARTIN, and)	
MICHAEL A. ATKINS,)	
Defendants.)	

ORDER

This matter is before the Court on the report and recommendation filed by United States Magistrate Judge H. Bruce Guyton [Doc. 41] regarding the Motion of Securities and Exchange Commission to Impose a Civil Penalty Against Patrick L. Martin [Doc. 34]. There have been no timely objections to the magistrate judge's report and recommendation. *See* 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b)(2).

After a careful review of this matter, the Court is in agreement with the magistrate judge's recommendation that Plaintiff's motion to impose a civil penalty [Doc. 34] be **GRANTED IN PART** and **DENIED IN PART**. Accordingly, the Court **ACCEPTS IN WHOLE** the report and recommendation [Doc. 41] under 28 U.S.C. § 636(b)(1) and Fed. R. Civ. P. 72(b).

It is hereby **ORDERED**, for the reasons stated in the report and recommendation, which the court adopts and incorporates into its ruling, that Plaintiff's motion to impose a civil penalty [Doc. 34] is **GRANTED** to the extent that a civil penalty is **IMPOSED** against Defendant

Patrick L. Martin **in the amount of \$30,000.00**, and **DENIED** to the extent that it requests a civil penalty greater than \$30,000.00 be imposed against Defendant Martin.

IT IS SO ORDERED.

ENTER:

s/ Thomas W. Phillips
United States District Judge