

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
PENNSYLVANIA

**Stewart Abramson, individually and on behalf of a class of all
persons and entities similarly situated v. Line 5, LLC, et al.**

Abramson · No. 2:25-cv-288 · Decided January 22, 2026

OPINION

IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF PENNSYLVANIA STEWART ABRAMSON, individually and) on behalf of a class of all persons and entities) similarly situated,) No. 2:25-cv-288)) Plaintiff,) District Judge Robert J. Colville) v.) Magistrate Judge Patricia L. Dodge LINE 5, LLC, et al.,))) Defendants. ORDER OF COURT Currently pending before the Court is the Report and Recommendation (ECF No. 31) filed by the Honorable Patricia L. Dodge in the above-captioned matter.

Judge Dodge's September 19, 2025 Report and Recommendation recommends that the Court grant the Motion to Dismiss (ECF No. 24) filed by Defendant Headstart Warranty Group, LLC and joined by Defendant Line 5, LLC (ECF No 27). Objections to the Report and Recommendation were due by October 3, 2025. No objections were filed, and the Court considers this matter to be ripe for disposition. "The Federal Magistrates Act provides two separate standards of judicial review of orders on matters referred to magistrate judges." *Alarmax Distributors, Inc. v. Honeywell Int'l Inc.*, No. 2:14-cv-1527, 2015 WL 12756857, at *1 (W.D.

Pa. Nov. 24, 2015) (citing 28 U.S.C. § 636(b)(1)). A district court reviews objections to a magistrate judge's decision on non-dispositive matters to determine whether any part of the order is clearly erroneous or contrary to law. 28 U.S.C. § 636(b)(1)(A); Fed. R. Civ. P. 72(a). "This standard requires the District Court to review findings of fact for clear error and to review matters of law de novo." *Equal Employment Opportunity Comm'n v. City of Long Branch*, 866 F.3d 93, 99 (3d Cir.

2017) (citing *Haines v. Liggett Grp. Inc.*, 975 F.2d 81, 91 (3d Cir. 1992)). A district court may only modify or set aside those parts of the order on non-dispositive matters that it finds to be clearly erroneous or contrary to law. *Id.* "A finding is 'clearly erroneous' when, 'although there is evidence to support it, the reviewing court on the entire evidence is left with the definite and firm conviction that a mistake has been committed.'" *Pennsylvania, Dep't of Envtl.*

Prot. v. Allegheny Energy, Inc., No. 2:05-cv-885, 2007 WL 2253554, at *1 (W.D. Pa. Aug. 3, 2007) (quoting *Anderson v. City of Bessemer*, 470 U.S. 564, 573 (1985)). "A magistrate judge's

order is contrary to law ‘when the magistrate judge has misinterpreted or misapplied the applicable law.’” *Brandon v. Burkhardt*, No. 1:16-cv-177, 2020 WL 85494, at *2 (W.D. Pa. Jan.

7, 2020) (quoting *Doe v. Hartford Life & Accident Ins. Co.*, 237 F.R.D. 545, 548 (D.N.J. 2006)). Objections to a magistrate judge’s disposition of a dispositive matter are subject to de novo review before the district judge. 28 U.S.C. § 636(b)(1)(B)-(C); Fed. R. Civ. P. 72(b)(3).

The reviewing district court must make a de novo determination of those portions of the magistrate judge’s report and recommendation to which objections are made. *Id.* Following de novo review, “[t]he district judge may accept, reject, or modify the recommended disposition; receive further evidence; or return the matter to the magistrate judge with instructions.” Fed.

R. Civ. P. 72(b)(3). The United States Court of Appeals for the Third Circuit has explained that, “even absent objections to the report and recommendation, a district court should ‘afford some level of review to dispositive legal issues raised by the report,’” and has “described this level of review as ‘reasoned consideration.’” *Equal Employment Opportunity Comm’n v. City of Long Branch*, 866 F.3d 93, 100 (3d Cir.

2017) (quoting *Henderson v. Carlson*, 812 F.2d 874, 878 (3d Cir. 1987)). Upon reasoned consideration of Judge Dodge’s Report and Recommendation, the pending Motion, and following review of all relevant docket entries, it is hereby ORDERED as follows: The Court agrees with the thorough and well-reasoned analysis set forth in Judge Dodge’s Report and Recommendation, and the Court accepts and adopts Judge Dodge’s Report and Recommendation in its entirety as the opinion of the Court with respect to Headstart’s Motion to Dismiss.

Headstart’s Motion is granted insofar as this Court will transfer this matter to the Middle District of Pennsylvania. The Clerk of Court is hereby directed to transfer this matter to the United States District Court for the Middle District of Pennsylvania forthwith. Upon transfer, the Clerk of Court shall mark this case as CLOSED. BY THE COURT: /s/Robert J. Colville Robert J. Colville United States District Judge DATED: January 22, 2026 cc: All counsel of record