

**UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
TEXAS, AUSTIN DIVISION**

Ngozi Paula Ejim v. Thomas J. Henry, PLLC, et al.

Ejim · No. 1:25-CV-1103-ADA-SH · Decided January 7, 2026

OPINION

UNITED STATES DISTRICT COURT WESTERN DISTRICT OF TEXAS AUSTIN DIVISION
NGOZI PAULA EJIM, § § Plaintiff, § § v. § CASE NO. 1:25-CV-1103-ADA-SH § THOMAS J.
HENRY, PLLC, et al., § § Defendants. § § § § § § ORDER ADOPTING MAGISTRATE
JUDGE’S REPORT AND RECOMMENDATION Before the Court is the Report and
Recommendation of United States Magistrate Judge Susan Hightower.

ECF No. 45. The report recommends that this Court grant Defendant Amber Petrig Simon’s motions to dismiss (ECF Nos. 16 and 25), dismiss Plaintiff’s claims against Ms. Simon, and dismiss Ms. Simon from this suit. Id. at 17.

The report further recommends that this Court grant Defendants Thomas J. Henry, PLLC, Emilia Cummings, Elena Fabrin, Jack Genovese II, Laurie Dobson, and Tanya Bachand’s Motion to Compel Arbitration (ECF No. 36) and stay this case as to those Defendants pending the resolution of the arbitration proceedings.

The report and recommendation was filed on November 10, 2025. A party may file specific, written objections to the proposed findings and recommendations of the magistrate judge within fourteen days after being served with a copy of the report and recommendation, thereby securing de novo review by the district court. 28 U.S.C. § 636(b); Fed. R. Civ. P. 72(b).

A district court need not consider “[f]rivolous, conclusive, or general objections.” *Battle v. U.S. Parole Comm’n*, 834 F.2d 419, 421 (5th Cir. 1987) (quoting *Nettles v. Wainwright*, 677 F.2d 404, 410 n.8 (Sth Cir. 1982) (en banc), overruled on other grounds by *Douglass v. United States Auto. Ass’n*, 79 F.3d 1415 (Sth Cir. 1996)).

The district court may decline a party’s request to hear new evidence not before the Magistrate Judge. Fed. R. Civ. P. 72(b)(3). Plaintiff filed objections on November 26, 2025. ECF No. 46. The Court has conducted a de novo review of Plaintiff’s Complaint, Defendants’ Motion, all related briefing and exhibits, Plaintiffs objections to the report and recommendation, and the applicable laws.

After that thorough review, the Court is persuaded that the Magistrate Judge’s findings and recommendation should be adopted. IT IS THEREFORE ORDERED that the Report and Recommendation of United States Magistrate Judge Susan Hightower (ECF No. 45) is

ADOPTED. IT IS FURTHER ORDERED that Plaintiffs objections are OVERRULED. IT IS FURTHER ORDERED that Defendant Amber Petrig Simon's motions to dismiss (ECF Nos. 16 and 25) are GRANTED.

Ms. Simon is hereby DISMISSED from this lawsuit. IT IS FURTHER ORDERED that Defendants' Thomas J. Henry, PLLC, Emilia Cummings, Elena Fabrin, Jack Genovese II, Laurie Dobson, and Tanya Bachand's Motion to Compel Arbitration (ECF No. 36) is GRANTED.

The Clerk of Court is requested to STAY this case as to those Defendants pending the resolution of the arbitration proceedings. SIGNED this 7th day of January, 2026. (oes ALAN D ATBRIGHT
UNITED STATES DISTRICT JUDGE