

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

ROBERT BERG, Individually and On )  
Behalf of All Others Similarly Situated, )

Plaintiff, )

v. )

Civil Action No. 17-938-VAC-SRF

TRIBUNE MEDIA COMPANY, PETER )

M. KERN, BRUCE A. KARSH, CRAIG A. )

JACOBSON, ROSS LEVINSOHN, PETER )

E. MURPHY, LAURA R. WALKER, )

SINCLAIR BROADCAST GROUP, INC., )

and SAMSON MERGER SUB INC., )

Defendants. )

**REPORT AND RECOMMENDATION**

In this securities action filed by plaintiff Robert Berg, individually and on behalf of all others similarly situated, plaintiff alleges violations of the Securities Exchange Act of 1934. The complaint in the above-captioned case was filed on July 12, 2017. (D.I. 1) On October 12, 2017, the court entered an Order to Show Cause why the above-captioned action should not be dismissed for plaintiff's failure to serve process within 90 days of filing the complaint, pursuant to Rule 4(m) of the Federal Rules of Civil Procedure. (D.I. 3) Plaintiff failed to respond to the Order to Show Cause by the October 26, 2017 deadline.

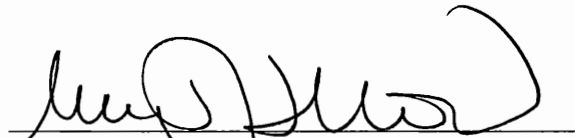
In accordance with the foregoing facts, I recommend the dismissal of the above-captioned action.

This Report and Recommendation is filed pursuant to 28 U.S.C. § 636(b)(1)(B), Fed. R. Civ. P. 72(b)(1), and D. Del. LR 72.1. The parties may serve and file specific written objections within fourteen (14) days after being served with a copy of this Report and Recommendation.

Fed. R. Civ. P. 72(b)(2). The objections and responses to the objections are limited to ten (10) pages each. The failure of a party to object to legal conclusions may result in the loss of the right to de novo review in the District Court. *See Sincavage v. Barnhart*, 171 F. Appx. 924, 925 n.1 (3d Cir. 2006); *Henderson v. Carlson*, 812 F.2d 874, 878-79 (3d Cir. 1987).

The parties are directed to the court's Standing Order For Objections Filed Under Fed. R. Civ. P. 72, dated October 9, 2013, a copy of which is available on the court's website, <http://www.ded.uscourts.gov>.

Dated: October 27, 2017

  
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Sherry R. Fallon  
UNITED STATES MAGISTRATE JUDGE