

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

MARY ANN SIVOLELLA, et al.

Plaintiffs,

v.

AXA EQUITABLE FUNDS  
MANAGEMENT, LLC, et al.,

Defendants.

Civil Action No. 11-4194 (PGS)

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GLENN D. SANFORD, et al.

Plaintiffs,

v.

AXA EQUITABLE FUNDS  
MANAGEMENT, LLC, et al.,

Defendants.

Civil Action No. 13-312 (PGS)

**ORDER**

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**SHERIDAN, U.S.D.J.**

**THIS MATTER** comes before the Court on Defendants' Motion to Strike Plaintiffs' Demands for a Jury Trial (dkt. nos. 42, 7). Plaintiffs have opposed the Motion (dkt. nos. 51, 15). The matter was referred to U.S. Magistrate Judge Arpert for a Report and Recommendation pursuant to FED. R. CIV. P. 72 and L. CIV. R. 72.1. The Magistrate Judge entered a Report and Recommendation in this action on July 12, 2013, ("R&R"), recommending that the Court grant Defendants' motion. (See dkt. nos. 62, 23, R&R.) The Plaintiffs filed objections to the R&R (dkt. nos. 63, 24), and the Defendants responded (dkt. nos. 65, 26).

**WHEREAS** The Court has carefully considered Judge Arpert's R&R, and the briefs of the parties. The Court finds the R&R to be both well-reasoned and thorough, and agrees with the Magistrate Judge that the Defendants' motion should be granted. Therefore, for good cause having been shown,

**IT IS** on this 14 day of August, 2013

**ORDERED** that the Report and Recommendation of the Magistrate Judge that was entered on July 12, 2013 (dkt. entry nos. 62, 23) is **ADOPTED** as the Opinion of the Court; and it is further

**ORDERED** that Defendants' Motion to Strike Plaintiffs' Demands for a Jury Trial (dkt. nos. 42, 7) is **GRANTED**.

DATE: 8-14-13

  
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PETER G. SHERIDAN, U.S.D.J.