

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

ADAM CHASTEEN,

Plaintiff,

v.

Case No. 2:12-cv-229
Judge Marbley
Magistrate Judge King

ROD JOHNSON, *et al.*,

Defendants.

ORDER

On March 27, 2013, the United States Magistrate Judge recommended that plaintiff's motion to voluntarily dismiss the action be granted on the condition that, should plaintiff re-file the action, he be required to reimburse defendants for the expenses incurred by defendants in connection with the dismissal and re-filing of the action. *Report and Recommendation*, Doc. No. 112. Although the parties were advised of their right to object to the recommendation and of the consequences of their failure to do so, there has been no objection.

The *Report and Recommendation*, Doc. No. 112, is **ADOPTED AND AFFIRMED**. Plaintiff's motion to voluntarily dismiss the action, Doc. No. 106, is **GRANTED** on the condition that, should plaintiff re-file the action, he be required to reimburse defendants for the expenses incurred by defendants in connection with the dismissal and re-filing of the action.

The Clerk is **DIRECTED** to enter **FINAL JUDGMENT** in this action.

s/Algenon L. Marbley

Algenon L. Marbley
United States District Judge