

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

THE WAY INTERNATIONAL, et al.,	:	
	:	
Plaintiffs,	:	Case No. 3:07cv00294
	:	
vs.	:	District Judge Walter Herbert Rice
	:	Magistrate Judge Sharon L. Ovington
EXECUTIVE RISK INDEMNITY, INC., et al.,	:	
	:	
Defendants.	:	

DECISION AND ENTRY ADOPTING IN FULL THE REPORT AND RECOMMENDATIONS FILED ON DECEMBER 16, 2008 (Doc. #88); GRANTING THE MOTION FOR SUMMARY JUDGMENT OF DEFENDANTS BALDWIN & WHITNEY INSURANCE AGENCY, INC., ACCORDIA OF OHIO, LLC, ACCORDIA, INC., AND WELLS FARGO INSURANCE SERVICES OF OHIO, LLC (Doc. #12) AND DISMISSING WITH PREJUDICE PLAINTIFFS' CLAIMS AGAINST SAID DEFENDANTS IN THEIR ENTIRETY AND DIRECTING THE CLERK OF COURT TO ENTER JUDGMENT IN FAVOR OF SAID DEFENDANTS AND AGAINST PLAINTIFFS; AND DENYING AS MOOT DEFENDANT WELLS FARGO INSURANCE SERVICES OF OHIO, LLC'S MOTION FOR CLARIFICATION (Doc. #71)

The Court has conducted a de novo review of the Report and Recommendations of United States Magistrate Judge Sharon L. Ovington (Doc. #88), to whom this case was originally referred pursuant to 28 U.S.C. §636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) has expired, hereby **ADOPTS** in full said Report and Recommendations.

It is therefore **ORDERED** that:

1. The Report and Recommendations filed on December 16, 2008 (Doc. #88) is

ADOPTED in full;

2. The Motion for Summary Judgment of Defendants Baldwin & Whitney Insurance Agency, Inc., Accordia of Ohio, LLC, Accordia, Inc., and Wells Fargo Insurance Services of Ohio, LLC (Doc. #12) is **GRANTED** and Plaintiffs' claims against said Defendants are **DISMISSED with prejudice** in their entirety, and the Clerk of Court is **DIRECTED** to Enter Judgment in favor of said Defendants and against Plaintiffs; and
3. Defendant Wells Fargo Insurance Services of Ohio, LLC's Motion for Clarification (Doc. #71) is **DENIED** as moot.



Walter Herbert Rice
United States District Judge