

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

NATIONAL CITY PARTNERSHIP SOLUTIONS, INC.,	:	
	:	
Plaintiff,	:	Case No. 3:07cv00408
	:	
vs.	:	District Judge Walter Herbert Rice Magistrate Judge Sharon L. Ovington
	:	
MIDWEST FINANCIAL AND MORTGAGE SERVICES, INC.,	:	
	:	
Defendant.	:	
	:	

---

**DECISION AND ENTRY ADOPTING IN FULL THE REPORT AND RECOMMENDATIONS FILED ON DECEMBER 30, 2008 (Doc. #23); GRANTING PLAINTIFF'S MOTION FOR DEFAULT JUDGMENT (Doc. #20); DIRECTING THE CLERK OF COURT TO ENTER JUDGMENT IN FAVOR OF PLAINTIFF NATIONAL CITY PARTNERSHIP SOLUTIONS, INC. AND AGAINST DEFENDANT MIDWEST FINANCIAL AND MORTGAGE SERVICES, INC. IN THE AMOUNT OF \$840,575.00; DENYING AS MOOT PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT (Doc. # 21); AND TERMINATING THE CASE ON THE DOCKET OF THIS COURT**

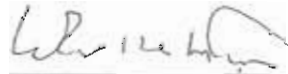
---

The Court has conducted a de novo review of the Report and Recommendations of United States Magistrate Judge Sharon L. Ovington (Doc. #23), 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 30, 2008 (Doc. #23) is **ADOPTED** in full;

2. Plaintiff's Motion for Default Judgment (Doc. #20) is GRANTED under Fed. R. Civ. P. 16(f) and 37(b)(2)(A)(vi);
3. The Clerk of Court is directed to enter Judgment in favor of Plaintiff National City Partnership Solutions, Inc. and against Defendant Midwest Financial and Mortgage Services, Inc. in the amount of \$840,575.00 pursuant to Fed. R. Civ. P. 58;
4. Plaintiff's Motion for Partial Summary Judgment (Doc. #21) is DENIED as moot; and
5. This case is terminated on the docket of the Court.



---

Walter Herbert Rice  
United States District Judge