

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

CRAIG MILLER, : Case No. 3:12-cv-366
 :
 Plaintiff, : Judge Timothy S. Black
 : Magistrate Judge Michael J. Newman
 vs. :
 :
 ABBOTT LABORATORIES, INC., :
 :
 Defendant. :
 :

DECISION AND ENTRY: (1) ADOPTING THE REPORT AND RECOMMENDATIONS OF THE MAGISTRATE JUDGE (Doc. 25); (2) DENYING DEFENDANTS' MOTION TO DISMISS AS MOOT; AND (3) DISMISSING CLAIMS AGAINST DEFENDANTS RIDENOUR, BLANCHET AND RORICK WITH PREJUDICE

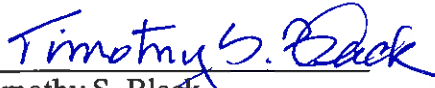
This case is before the Court on the Report and Recommendations of United States Magistrate Judge Michael J. Newman (Doc. 25), who recommends that the Court deny Defendants' Motion to Dismiss (Doc. 7) as moot and that the Court dismiss any claims against Defendants Steven Ridenour, Agathe Blanchet and Mindi Rorick with prejudice. Neither party filed objections to the Report and Recommendations and the time for doing so has expired. Accordingly, the issues are now ripe for decision by the Court.

As required by 28 U.S.C. § 636(b) and Fed. R. Civ. P. 72(b), the Court reviewed the comprehensive findings of the Magistrate Judge de novo. Upon considering de novo all issues addressed by the Magistrate Judge, the Court: (1) **ADOPTS** the Report and Recommendations in its entirety (Doc. 25); (2) **DENIES** Defendants' Motion to Dismiss (Doc. 7) as moot; and (3) **DISMISSES** any claims against Defendants Ridenour, Blanchet and Rorick with prejudice.

IT IS SO ORDERED.

Date:

2/26/13


Timothy S. Black
United States District Judge