

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF ILLINOIS
URBANA DIVISION**

THOMAS FITTS,)	
)	
Plaintiff,)	
v.)	Case No. 09-CV-2323
)	
VILLAGE OF GRANT PARK; FRED J.R.)	
MEYER, in his individual capacity; and)	
TIMOTHY SWANSON, in his individual)	
capacity,)	
)	
Defendants.)	

ORDER

A Report and Recommendation (#22) was filed by Magistrate Judge David G. Bernthal in the above cause on July 14, 2010. More than fourteen (14) days have elapsed since the filing of the Recommendation and no objections have been made. See 28 U.S.C. § 636(b)(1). Judge Bernthal's Recommendation is, therefore, accepted by the court. See Video Views, Inc. v. Studio 21, Ltd, 797 F.2d 538 (7th Cir. 1986).

IT IS THEREFORE ORDERED THAT:

- (1) The Report and Recommendation (#22) is accepted by this court.
- (2) Defendants' Motion to Dismiss Amended Complaint (#18) is DENIED.
- (3) Defendants are allowed twenty-one (21) days to file their Answer to the Amended Complaint (#17).
- (4) This case is referred to Judge Bernthal for further proceedings.

ENTERED this 4th day of August, 2010

s/ Michael P. McCuskey
MICHAEL P. McCUSKEY
CHIEF U.S. DISTRICT JUDGE