

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

STEPHEN A. BRINKOETTER,)	
)	
Plaintiff,)	
v.)	Case No. 10-CV-2039
)	
BOARD OF TRUSTEES OF PLUMBERS)	
AND STEAMFITTERS LOCAL 65 PENSION)	
FUND, et al.,)	
)	
Defendants.)	

ORDER

A Report and Recommendation (#16) was filed by Magistrate Judge David G. Bernthal in the above cause on May 13, 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). The Recommendation of the Magistrate Judge 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 (#16) is accepted by this court.

(2) Defendants' Motion to Dismiss Plaintiff's Complaint (#9) is GRANTED. Judge Bernthal recommended that Plaintiff be allowed to amend his complaint within 14 days of the date of this Order. However, this court notes that Plaintiff filed an Amended Complaint (#17) on May 19, 2010, which added the Plumbers and Steamfitters Local 65 Pension Fund as a Defendant. Defendants are allowed 21 days to file their response to the Amended Complaint.

(3) This case is referred to Judge Bernthal for further proceedings.

ENTERED this 3rd day of June, 2010

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