

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

DEBRA KAUFFMAN,)
)
 Plaintiff,)
 v.)
) **Case No. 12-CV-2079**
 PETERSEN HEALTH CARE VII, LLC,)
 d/b/a Mason Point & DARIN WALL,)
 Individually,)
)
 Defendants.)

ORDER

On June 22, 2012, Magistrate Judge David G. Bernthal filed a Report and Recommendation (#14) in the above cause. Judge Bernthal recommended granting, in part, and denying, in part, the Motion to Dismiss (#2) filed by Defendants. On July 6, 2012, Defendant Petersen Health Care VII, LLC filed an Objection to the Magistrate Judge’s Report and Recommendation (#15).

Following this court’s careful de novo review of Judge Bernthal’s reasoning and Defendant’s Objections, this court agrees with and accepts the Report and Recommendation (#14). This court agrees with Judge Bernthal’s thorough and well-supported analysis.

IT IS THEREFORE ORDERED THAT:

(1) The Report and Recommendation (#14) is accepted by this court.

(2) The Motion to Dismiss (#2) filed by Defendants, Petersen Health Care VII, LLC, and Darin Wall, is GRANTED, in part, and DENIED, in part. The Motion to Dismiss is granted with respect to Count 7 of Plaintiff’s Complaint. The Motion to Dismiss is denied

with respect to Counts 1 through 6 of Plaintiff's Complaint.

(3) Because Count 7 is the only count which names Defendant Wall, Defendant Wall is dismissed from the case and terminated as a Defendant.

(4) Defendant Petersen Health Care VII, LLC, is allowed twenty-one (21) days to file its Answer to Plaintiff's Complaint.

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

ENTERED this 16th day of July, 2012

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