

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

ROSS & BARUZZINI, INC.,

Plaintiff,

v.

**THE ESTOPINAL GROUP, LLC,
f/k/a/ THE ESTOPINAL GROUP, INC.,**

Defendant.

No. 12-CV-0152-DRH

MEMORANDUM AND ORDER

HERNDON, Chief Judge:

On May 14, 2013, pursuant to 28 U.S.C. § 636(b)(1)(B), United States Magistrate Judge Philip M. Frazier submitted a Report and Recommendation (“the Report”) recommending that the Court deny plaintiff’s motion for sanctions (Doc. 53). The Report found that there “is not enough here to permit a reasonable inference that TEG destroyed documents in bad faith. Sanctions are not warranted in these particular circumstances.”

The Report was sent to the parties with a notice informing them of their right to appeal by way of filing “objections” by May 31, 2013. To date, none of the parties have filed objections, and the period in which to file objections has expired. Therefore, pursuant to 28 U.S.C. § 636(b), this

Court need not conduct *de novo* review. *Thomas v. Arn*, 474 U.S. 140, 149-52 (1985).

Thus, the Court **ADOPTS** the Report in its entirety (Doc. 53). The Court **DENIES** plaintiff's motion for sanctions (Doc. 40).

IT IS SO ORDERED.

Signed this 4th day of June, 2013.

 Digitally signed by
David R. Herndon
Date: 2013.06.04
11:02:42 -05'00'

**Chief Judge
United States District Court**