

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF INDIANA
HAMMOND DIVISION**

JOAN GORCOS,)	
)	
Plaintiff,)	
)	
vs.)	CAUSE NO. 2:15-CV-84
)	
MICHAEL FRYZEL, <i>et al.</i> ,)	
)	
Defendants.)	

ORDER

This matter is before the Court on the Findings, Report and Recommendation of United States Magistrate Judge Pursuant to 28 U.S.C. § 636(b)(1)(B)&(C) filed on October 17, 2017 ("Report and Recommendation"). (DE #175.) More than 14 days have passed, and there is no objection to the Report and Recommendation.¹ See *Willis v. Caterpillar, Inc.*, 199 F.3d 902, 904 (7th Cir. 1999) (explaining that the failure to file a timely objection will result in the waiver of the right to challenge a report and recommendation). Therefore, upon due consideration, the Court hereby **ADOPTS** the Report and Recommendation (DE #175). Accordingly, the Court:

(1) **GRANTS** in part and **DENIES** in part the Agreed Motion to Enforce Settlement Agreement of Defendants Frederick Frego, Stephen

¹ Defendants initially filed a partial objection to the Report and Recommendation, arguing that the denial of the request for sanctions and attorney fees was in error. (DE #176.) However, Defendants later withdrew that request both via motion and via notice. (DE #177 & DE #178.) To the extent that Court action is required on the withdrawal, the motion (DE #177) is **GRANTED**.

Kil, Town of St. John, James Turturillo, and Michael Fryzel (DE #160) as is set forth more fully in the Report and Recommendation;

(2) **DENIES** as **MOOT** the Motion for Expedited Hearing Date (DE #167);

(3) **DENIES** as **MOOT** the Supplemental Motion for Expedited Hearing Date (DE #169);

(4) **DECLARES** that the settlement agreement of August 8, 2017, was entered into knowingly and voluntarily, is fully enforceable, and, in particular, does not include a mutual release of claims;

(5) **ORDERS** Plaintiff to execute the document found at Exhibit A of Defendant's Motion (DE #160), which memorializes the already enforceable settlement agreement;

(6) **DENIES** Defendants' request for an award of attorney fees; and

(7) **ORDERS** the parties to file dismissal paperwork with the Court by December 12, 2017.

DATED: November 28, 2017

/s/RUDY LOZANO, Judge
United States District Court