

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

PENNY MATHEWS,)	
)	
Plaintiff,)	
)	1:09-cv-00478-SEB-DML
vs.)	
)	
BRONGER MASONRY, INC.,)	
)	
Defendant.)	
)	

**ORDER ADOPTING MAGISTRATE
JUDGE’S REPORT AND RECOMMENDATIONS**

The Court has considered the Magistrate Judge’s Report and Recommendations on the effect of Plaintiff Penny Mathews’s motion for attorney fees (Dkt. Nos. 126, 139) on a settlement agreement and release she entered into with Defendant Bronger Masonry, Inc. The Court has also considered both parties' objections to the Magistrate Judge’s report. (Dkt. Nos. 147, 148).

Having given de novo consideration to these issues, the Court finds that the Magistrate Judge’s Report and Recommendation is well reasoned and supported by the facts as well as the law. Accordingly, the Court adopts the Magistrate Judge’s Report and Recommendation in full and incorporates it by reference herein.

Therefore, it is ordered that Ms. Mathews’s request to rescind the settlement agreement is GRANTED, and Ms. Mathews’s Motion to strike Bronger’s opposition brief to her motion for fees (Dkt. No. 135) is DENIED AS MOOT. The Magistrate Judge shall set a briefing schedule for Bronger’s opposition to Ms. Mathews’s motion for fees (Dkt. Nos.

126, 139) and any reply by Ms. Mathews. Furthermore, Ms. Mathews's motion to strike or stay Bronger's motion for sanctions (Dkt. No. 141) is DENIED AS MOOT and the Magistrate Judge shall set a briefing schedule for Ms. Mathews's opposition to that motion and any reply by Bronger.

IT IS SO ORDERED.

Date: _____

Copies to:

Zachary Judson Eichel
EINTERZ & EINTERZ
zach@einterzlaw.com

Michael L. Einterz
EINTERZ & EINTERZ
einterzfirm@aol.com

Michael L. Einterz, Jr.
EINTERZ & EINTERZ
michael@einterzlaw.com

Ronald E. Weldy
WELDY & ASSOCIATES
weldy@weldylaw.com