

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS**

ALLOFE SOLUTIONS, LLC,

Plaintiff,

v.

MOUNT ST. JOSEPH UNIVERSITY,

Defendant.

Case No. 16-2666-JAR-JPO

ORDER ADOPTING REPORT AND RECOMMENDATION

This matter is before the Court on the Report and Recommendation filed on December 16, 2016 (Doc. 22). Defendant Mount St. Joseph University has withdrawn its objection to the proposed findings and recommendations filed by Magistrate Judge James P. O'Hara (Docs. 23, 25), and after a de novo determination upon the record pursuant to Fed. R. Civ. P. 72(b), the Court accepts the recommended decision and adopts it as its own.

IT IS THEREFORE ORDERED BY THE COURT that in accordance with the December 16, 2016 Report and Recommendation (Doc. 22), this case is REMANDED to state court for lack of subject matter jurisdiction. The Clerk of the Court is directed to remand this case to Douglas County, Kansas District Court for further proceedings.

IT IS SO ORDERED.

Dated: January 19, 2017

s/Julie A. Robinson
JULIE A. ROBINSON
UNITED STATES DISTRICT JUDGE