

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

<b>JERRY L. BERG,</b>	)	
	)	
<b>Plaintiff/ Counterclaim Defendant,</b>	)	
	)	<b>CIVIL ACTION</b>
<b>v.</b>	)	
	)	<b>No. 12-1123-KHV</b>
<b>JON L. FROBISH, et al.,</b>	)	
	)	
<b>Defendants/ Counter Claimants.</b>	)	
	)	

**ORDER ADOPTING REPORT AND RECOMMENDATIONS**

On March 13, 2013, Magistrate Judge Kenneth G. Gale issued a report and recommendations with respect to plaintiff's Motion For Emergency Preliminary Injunction For Order To Compel Budget, Records And Access To Meetings Or For A Writ Of Mandamus (Doc. #115) filed November 21, 2012. Magistrate Judge Gale recommended that this Court deny plaintiff's motion as both redundant and moot. See Memorandum And Order And Report & Recommendations (Doc. #203) filed March 13, 2013. Pursuant to 28 U.S.C. § 636(b)(1) and Rule 72(a), Fed. R. Civ. P., plaintiff had 14 days to file a written objection. Plaintiff has not done so. For this reason, and for substantially the reasons stated by Magistrate Judge Gale, the Court **ADOPTS** the Report and Recommendations (Doc. #203) in their entirety.

**IT IS THEREFORE ORDERED** that the Memorandum And Report & Recommendations (Doc. #203) filed March 13, 2013 be and hereby are adopted in their entirety.

**IT IS FURTHER ORDERED** that plaintiff's Motion For Emergency Preliminary Injunction For Order To Compel Budget, Records And Access To Meetings Or For A Writ Of Mandamus (Doc. #115) filed November 21, 2012, be and hereby is **OVERRULED**.

Dated this 3rd day of July, 2013, at Kansas City, Kansas.

s/ Kathryn H. Vratil  
KATHRYN H. VRATIL  
United States District Judge