Doc. 581

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## UNITED STATES DISTRICT COURT EASTERN DISTRICT OF KENTUCKY CENTRAL DIVISION LEXINGTON

****	***** **	**** ****	
	)		
Defendants.	)		
	)		
CORNING, INC., et al.,	)	ORDER	
<b>v</b> .	)		
V.	)		
Plaintiffs	)	Civil No. 5:13-cv-00405	5-GFVT
	)		
MODERN HOLDINGS, LLC, et al.,	)		

This matter is before the Court on a Report and Recommendation filed by Judge Edward B. Atkins on March 11, 2022. [R. 573.] Pursuant to Rule 41 of the Federal Rules of Civil Procedure, Judge Atkins recommends that the following Plaintiffs' claims be dismissed with prejudice for failing to cooperate in the prosecution:

- Misti Llamas;
- Jonathan Llamas;
- Robert Bradley Miller;
- Holly Gooch;
- James Ross;
- Stacy Wilson;
- Darlene Hagan; and
- Christian Cheak.

*Id.* However, in a Memorandum Opinion & Order signed on January 28, 2022, this Court Granted the Defendants' motion to dismiss with prejudice all of the above individuals, in addition to Elana Ford, Hugh Shepard, and Nancy Vanover. [R. 559 at 4.] Therefore, Judge Atkins's Report and Recommendation will not be adopted because it is moot.

Accordingly, and the Court being sufficiently advised, it is hereby **ORDERED** that Judge Atkins's Report and Recommendation [R. 573] will not be adopted because these parties have already been dismissed with prejudice, rending the matter moot.

This the 19th day of April, 2022.

Gregory F. Van Tatenhove United States District Judge