

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

MARTIN WOLFE,

Plaintiff ,

v.

Civil No. 08-10628

Hon. John Feikens

Magistrate Virginia Morgan

GC SERVICES LIMITED
PARTNERSHIP-DELAWARE,

Defendant.
_____ /

ORDER ADOPTING REPORT AND RECOMMENDATION

I have before me, Magistrate Virginia M. Morgan's Report and Recommendation ("Report"). In her Report, Magistrate Morgan recommends that I grant Defendant's Motion to Dismiss based on spoliation and fabrication of evidence. Neither party has filed objections to Magistrate Morgan's report during the time set aside for doing so. I find that Magistrate Morgan has thoroughly and correctly analyzed the issues and I agree with her recommendation. For these reasons, I ADOPT Magistrate Morgan's Report and GRANT Defendant's Motion to Dismiss based on spoliation and fabrication of the evidence.

IT IS SO ORDERED.

Date: January 30, 2009

s/ John Feikens
John Feikens
United States District Judge

Proof of Service

I hereby certify that the foregoing order was served on the attorneys/parties of record on January 30, 2009, by U.S. first class mail or electronic means.

s/Carol Cohron
Case Manager