

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

ANN TONEY,

Plaintiff,

Case No. 09-cv-14758

Paul D. Borman  
United States District Judge

v.

Virginia M. Morgan  
United States Magistrate Judge

WEBER AND OLCESE, PLC,  
JEFFREY WEBER, MICHAEL  
OLCESE, ROBERT J. REZNICK,  
and DUE PROCESS OF MICHIGAN,

Defendants.

---

OPINION AND ORDER (1) ADOPTING THE MAGISTRATE JUDGE'S REPORT AND  
RECOMMENDATION (DKT. NO. 31) AND (2) GRANTING DEFENDANTS  
WEBER AND OLCESE, PLC, JEFFREY WEBER AND MICHAEL OLCESE'S  
MOTION TO DISMISS (DKT. NO. 26)

Before the Court is Magistrate Judge Virginia M. Morgan's November 15, 2010 Report and Recommendation Dismissing Defendants Weber and Olcese, PLC, Jeffrey Weber and Michael Olcese. (Dkt. No. 31.)

Having reviewed that Report and Recommendation, and there being no timely objections from either party under 28 U.S.C. § 636(b)(1) and E.D. Mich L.R. 72.1(d), the Court ADOPTS the Magistrate Judge's Report and Recommendation and GRANTS Defendants Weber and Olcese, PLC, Jeffrey Weber and Michael Olcese's Motion to Dismiss as a Sanction for Failure to Comply With Discovery Order (Dkt. No. 26.)

The Court notes that Defendants Robert J. Reznick and Due Process of Michigan were not included in the motion to dismiss and Plaintiff's claims against those Defendants remain.

IT IS SO ORDERED.

S/Paul D. Borman  
PAUL D. BORMAN  
UNITED STATES DISTRICT JUDGE

Dated: December 22, 2010

CERTIFICATE OF SERVICE

Copies of this Order were served on the attorneys of record by electronic means or U.S. Mail on December 22, 2010.

S/Denise Goodine  
Case Manager