

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

LOUBNA NAJI and AMAL ANJIEH  
AOUM, individually and as next friend  
for her minor children, NAZIH BARJAS,  
MOHAMAD BARJAS and ZACK BARJAS,

Case No. 13-10738

Plaintiffs,

Paul D. Borman  
United States District Judge

v.

Mona K. Majzoub  
United States Magistrate Judge

ANDREW RICHARD LINCOLN,

Defendant.

ORDER (1) ADOPTING MAGISTRATE JUDGE MONA K. MAJZOUB'S JUNE 24, 2015  
REPORT AND RECOMMENDATION (ECF NO. 33), (2) DENYING WITHOUT PREJUDICE  
DEFENDANT'S MOTION TO DISMISS (ECF NO. 28), (3) ORDERING DEFENDANT TO  
SUBMIT A BILL OF COSTS AND (4) PRECLUDING PLAINTIFFS FROM INTRODUCING  
CERTAIN EVIDENCE IN THIS MATTER

On June 24, 2015, Magistrate Judge Mona K. Majzoub issued a Report and Recommendation to deny without prejudice Defendant's motion to dismiss and to prohibit Plaintiffs from introducing certain evidence in this matter. (ECF No. 33, Report and Recommendation.) Magistrate Judge Majzoub also recommended that the Court order the Defendant to submit a bill of costs to the Court and to warn Plaintiff that any further failures to cooperate in the progress of this case or any further failures to cooperate with the Court's orders may result in dismissal of the case with prejudice.

Having reviewed the 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 Report and Recommendation, DENIES WITHOUT PREJUDICE Defendant's Motion to Dismiss

(ECF No. 28) and ORDERS Defendant to submit its bill of costs incurred as a result of Plaintiffs' failure to fully comply with the Court's June 23, 2014 Order, as recommended by Magistrate Judge Majzoub in her Report and Recommendation. Defendant's bill of costs shall be submitted within twenty-one (21) days of the date of this Order.

Further, the Court ORDERS that Plaintiffs are prohibited from offering any proofs in this litigation related to Plaintiff Nazih Barjas's alleged injuries or any damages resulting from said injuries. Plaintiffs also are prohibited from introducing evidence from any of Plaintiffs' medical providers or treatment facilities that have not yet, but should have already, been disclosed.

The Court advises Plaintiffs that any further failures to cooperate in the progress of this litigation, or failures to comply with Court orders, may result in dismissal of this case with prejudice.

IT IS SO ORDERED.

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

Dated: July 14, 2015

CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the foregoing order was served upon each attorney or party of record herein by electronic means or first class U.S. mail on July 14, 2015.

s/Deborah Tofil  
Case Manager