

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

Merissa Franklin,

Plaintiff,

v.

DaVita Healthcare Partners, Inc.,

Defendant.

Case No. 13-11329

Honorable Nancy G. Edmunds

**OPINION AND ORDER ACCEPTING AND ADOPTING THE MAGISTRATE JUDGE'S
SEPTEMBER 11, 2013 REPORT AND RECOMMENDATION [26] AND GRANTING
DEFENDANT'S MOTION FOR SUMMARY JUDGMENT [23]**

Before the Court is the magistrate judge's September 11, 2013 report and recommendation on Plaintiff Merissa Franklin's Title VII employment retaliation and harassment claims. The magistrate judge recommended granting Defendant DaVita's motion for summary judgment and dismissing those claims with prejudice. The magistrate judge also recommended that the Court dismiss Plaintiff's "false documentation" claim because there is no cause of action for false documentation.

Neither party has filed objections. "[T]he failure to object to the magistrate judge's report[] releases the Court from its duty to independently review the matter." *Hall v. Rawal*, 09-10933, 2012 WL 3639070, at *1 (E.D.Mich. Aug. 24, 2012) (citation omitted). The Court nevertheless agrees with the magistrate judge's recommendation. The Court therefore ACCEPTS and ADOPTS the magistrate judge's report and recommendation.

The Court GRANTS Defendant's motion for summary judgment. Plaintiff's sex discrimination, defamation, and slander claims still remain in this case.

So ordered.

s/Nancy G. Edmunds
Nancy G. Edmunds
United States District Judge

Dated: October 11, 2013

I hereby certify that a copy of the foregoing document was served upon counsel of record on October 11, 2013, by electronic and/or ordinary mail.

s/Johnetta M. Curry-Williams
Case Manager
Acting in the Absence of Carol Hemeyer