

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  
NOVEMBER 13, 2014 REPORT AND RECOMMENDATION [54] AND GRANTING  
DEFENDANT'S MOTION FOR SUMMARY JUDGMENT [47]**

Before the Court is the Magistrate Judge's November 13, 2014 report and recommendation [54] on Defendant's motion for summary judgment [47]. Defendant seeks summary judgment on Plaintiff's claim of gender discrimination in violation of Title VII following her termination from Defendant. This is Plaintiff's only remaining claim in this case. The Magistrate Judge recommended granting Defendant's motion for summary judgment and dismissing Plaintiff's complaint with prejudice. 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." *Sloan v. Sumner*, No. 13-12163, 2014 WL 3870627, at \*1 (E.D. Mich. Aug. 7, 2014) (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. Defendant's motion for summary judgment is GRANTED, and Plaintiff's complaint is DISMISSED WITH PREJUDICE.

SO ORDERED.

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

Dated: December 4, 2014

I hereby certify that a copy of the foregoing document was served upon counsel of record on December 4, 2014, by electronic and/or ordinary mail.

s/Carol J. Bethel  
Case Manager