UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF MICHIGAN SOUTHERN DIVISION

AES-APEX EMPLOYER SERVICES, INC., and AES-APEX EMPLOYER SOLUTIONS, INC.,

Plaintiffs,

v.

CASE NO: 13-CV-14519-DT

DINO ROTONDO, RICHARD MARK, and UNITED STATES, DEPARTMENT OF TREASURY – INTERNAL REVENUE SERVICE,

Defendant.

ORDER ADOPTING MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION

This matter is before the court on on Plaintiffs' Motion for Sanctions

and/or to Tax Costs and Attorney Fees against Intervening Party Akouri

Investments, LLC [106]. The case was referred to United States Magistrate

Judge David R. Grand pursuant to 28 U.S.C. §636(b)(1)(B) and Local Rule

72.1. The magistrate judge issued his report on May 27, 2016,

recommending that this court deny Plaintiff's Motion for Sanctions and/or to

Tax Costs and Attorney Fees. No objections have been filed pursuant to

28 U.S.C. §636(b)(1)(C), thus further appeal rights are waived.¹

¹ The failure to object to the magistrate judge's report releases the court from its duty to independently review the motion. *Thomas v. Arn*, 474 U.S. 140, 149 (1985).

Having reviewed the file and the Report, the court concludes that the findings and conclusions of the Magistrate Judge are correct and ADOPTS the same for purposes of this Order.

<u>ORDER</u>

IT IS ORDERED that, for the reasons set forth in the Magistrate

Judge's Report and Recommendation, the Plaintiffs' Motion for Sanctions,

Costs and Attorney Fees is **DENIED**.

IT IS SO ORDERED.

<u>S/Robert H. Cleland</u> ROBERT H. CLELAND UNITED STATES DISTRICT JUDGE

Dated: September 30, 2016

I hereby certify that a copy of the foregoing document was mailed to counsel of record and/or pro se parties on this date, September 30, 2016, by electronic and/or ordinary mail.

<u>S/Lisa Wagner</u> Case Manager and Deputy Clerk (313) 234-5522