

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

JAMES GREEN,

Plaintiff,

v.

Case No. 16-11587

Hon. Gerald E. Rosen

Magistrate Judge Mona K. Majzoub

GRAND TRUNK WESTERN  
RAILROAD INC.,

Defendant.

**ORDER ADOPTING  
MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION**

At a session of said Court, held in  
the U.S. Courthouse, Detroit, Michigan  
on January 3, 2017

PRESENT:     Honorable Gerald E. Rosen  
                  United States District Judge

In a report and recommendation ("R & R") issued on November 22, 2016, Magistrate Judge Mona K. Majzoub recommends that the Court deny the motion to dismiss brought by Defendant Grand Trunk Western Railroad Inc. Neither party has filed objections to the Magistrate Judge's R & R, and the deadline for doing so has passed. Having reviewed the R & R, the parties' submissions in support of and in opposition to Defendant's underlying motion to dismiss, and the remainder of the record, the Court concurs in the Magistrate Judge's analysis and

adopts the R & R as the opinion of this Court. Accordingly,

NOW, THEREFORE, IT IS HEREBY ORDERED that the Magistrate Judge's November 22, 2016 Report and Recommendation (docket #19) is ADOPTED in its entirety as the opinion of this Court. IT IS FURTHER ORDERED, for the reasons stated in the R & R, that Defendant's May 25, 2016 motion to dismiss (docket #6) is DENIED. In light of these rulings, IT IS FURTHER ORDERED that Plaintiff's December 8, 2016 motion for order (docket #20) is DENIED AS MOOT.

s/Gerald E. Rosen  
United States District Judge

Dated: January 3, 2017

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on January 3, 2017, by electronic and/or ordinary mail.

s/Julie Owens  
Case Manager, (313) 234-5135