

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

KENNETH FOSTER ARDIS,

Plaintiff,

Civil Case No. 18-13537
Honorable Linda V. Parker

v.

ROSILYN JINDAL and
TAMMRA S. ROTHHAAR,

Defendants.

**OPINION AND ORDER GRANTING DEFENDANTS' MOTIONS FOR
SUMMARY JUDGMENT (ECF NOS. 41 & 45)**

Plaintiff commenced this lawsuit against Defendants on November 14, 2018. Defendant Tammra Rothhaar filed a motion for summary judgment on July 8, 2019. (ECF No. 41.) Defendant Rosilyn Jindal filed a motion for summary judgment on August 16, 2019. (ECF No. 45.) The matter has been assigned to Magistrate Judge Anthony P. Patti for all pretrial proceedings, including a hearing and determination of all non-dispositive matters pursuant to 28 U.S.C. § 636(b)(1)(A) and/or a report and recommendation on all dispositive matters pursuant to 28 U.S.C. § 636(b)(1)(B).

On January 14, 2020, Magistrate Judge Patti issued a report and recommendation ("R&R"), in which he recommends that the Court grant Defendants' motions, dismiss Plaintiff's federal claims, and decline to exercise

supplemental jurisdiction over his state law claims for gross negligence and intentional infliction of emotional distress. (ECF No. 53.) Magistrate Judge Patti concludes that Plaintiff failed to administratively exhaust his claims against Defendants prior to filing this lawsuit.

At the conclusion of the R&R, Magistrate Judge Patti advises the parties that they may object to and seek review of the R&R within fourteen days of service upon them. He further specifically advises the parties that “[f]ailure to file specific objections constitutes a waiver of any further right to appeal.” (*Id.*) Neither party filed objections to the R&R.

The Court has carefully reviewed the R&R and concurs with the conclusions reached by Magistrate Judge Patti. The Court therefore adopts the R&R.

Accordingly,

IT IS ORDERED that Defendants’ motions for summary judgment (ECF Nos. 41 & 45) are **GRANTED**.

s/ Linda V. Parker
LINDA V. PARKER
U.S. DISTRICT JUDGE

Dated: February 14, 2020

I hereby certify that a copy of the foregoing document was mailed to counsel of record and/or pro se parties on this date, February 14, 2020, by electronic and/or U.S. First Class mail.

s/ R. Loury
Case Manager