

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

CODIE HORN,

Plaintiff,

No. 19-10336

v.

Honorable Nancy G. Edmunds

ROBERT BOSCH
AUTOMOTIVE STEERING LLC,

Defendant.

_____ /

ORDER GRANTING DEFENDANT'S MOTION TO DISMISS [24]

This is an employment discrimination case brought by pro se plaintiff Codie Horn against his former employer, Robert Bosch Automotive Steering LLC. On June 1, 2020, Magistrate Judge David Grand issued a report and recommendation in this matter, recommending that Defendant's motion for summary judgment be granted in part and denied in part without prejudice. (ECF No. 20.) Neither party objected to that report and recommendation, and the Court accepted and adopted it in an opinion and order issued on July 8, 2020. (ECF No. 22.) Shortly thereafter, the Court was informed that the parties had settled this case. A docket notation instructed the parties to submit a stipulated order of dismissal within thirty days. No order was presented to the Court. On September 23, 2020, Defendant filed a motion to dismiss, requesting the Court enter an order dismissing this case, because the parties have executed a confidential release and settlement agreement and payment has been tendered pursuant to that agreement. (ECF No. 24.) An order was issued informing Plaintiff that if he wishes to oppose Defendant's motion, he must file a response by

October 14, 2020.¹ (ECF No. 25.) To date, however, no response has been entered on the docket.² Because the parties have settled the remaining claims in this case, the Court GRANTS Defendant's motion to dismiss and dismisses this case with prejudice.

SO ORDERED.

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

Dated: November 20, 2020

I hereby certify that a copy of the foregoing document was served upon counsel of record on November 20, 2020, by electronic and/or ordinary mail.

s/Lisa Bartlett
Case Manager

¹ A copy of the order requiring a response served on Plaintiff by mail was returned to the Court as undeliverable, (ECF No. 28), but the order was also served on him via email.

² Plaintiff emailed a member of chambers' staff a response to Defendant's motion. Plaintiff was informed that his response must be filed through the Clerk's office, but he did not comply with that directive. Even if the Court were to consider Plaintiff's response, however, it would not change the disposition of this case. Plaintiff acknowledges that the parties settled the case but alleges that Defendant breached the settlement agreement. The alleged breach of a settlement agreement is an independent claim that can be raised in an appropriate forum but is not a reason not to dismiss this case with prejudice.