

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

**UNITED FOOD AND COMMERCIAL)
WORKERS UNION-EMPLOYER)
HEALTH AND WELFARE FUND, et al.,))
)
Plaintiffs,)
)
vs.)
)
)
LANDMARK FOODS INC.,)
)
Defendant.)
)**

CASE NO.1:10CV1051

JUDGE CHRISTOPHER A. BOYKO

ORDER

This Court has reviewed the Report and Recommendation, (Doc.# 21) of Magistrate Judge Greg White regarding Plaintiffs’ Motion for Summary Judgment, (Doc.#17) and Defendant’s Brief in Opposition, (Doc.#18).

FED. R. CIV.P. 72(b) provides that objections to a Report and Recommendation must be filed within fourteen (14) days after service, but both Plaintiff and Defendants has failed to timely file any such objections. Therefore, the Court must assume that both are satisfied with the Magistrate Judge’s recommendation. Any further review by this Court would be a duplicative and inefficient use of the Court’s limited resources. Thomas v. Arn, 728 F.2d 813 (6th Cir. 1984), aff’d, 474 U.S. 140 (1985); Howard v. Secretary of Health and Human Services, 932 F.2d 505 (6th Cir. 1991); United States v. Walters, 638 F.2d 947 (6th Cir.1981).

Therefore, the Court adopts in full the Report and Recommendation (Doc.# 21) and the Motion for Summary Judgment (Doc. # 17) is granted. Plaintiff’s award is as follows:

	Pension Fund	Health & Welfare Fund	Total Award
<u>Unpaid Contributions</u>	\$16,001.00	\$50,226.00	
<u>Interest</u>	5,649.31	18,002.15	
<u>Liquidated Damages</u>	5,649.31	18,002.15	
Total Award per			
Fund	\$27,299.62	\$86,230.30	
			\$113,529.92

Plaintiffs shall file a motion requesting attorneys' fees, auditor's fee, and other costs and expenses of litigation.

IT IS SO ORDERED.

Dated: 10/24/2011

S/Christopher A. Boyko
CHRISTOPHER A. BOYKO
UNITED STATES DISTRICT JUDGE