IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

JOSEPH G. RODOJEV,	)	**CASE NO. 1:10 CV 1535**
	)	
Plaintiff,	)	
	)	
v.	)	**JUDGE DONALD C. NUGENT**
	)	
	)	**Magistrate Judge Kenneth S. McHargh**
	)	
SOUND COM CORP., *et al.*,	)	**MEMORANDUM OPINION**
	)	
Defendants.	)	

This matter is before the Court on the Motion to Dismiss filed by Defendants SoundCom Corp.; Littler Mendelson, P.C.; Timothy S Anderson; Craig M. Brown; and, Barry Y. Freeman (Docket #6). Pursuant to Fed. R. Civ. P. 12(b)(6), Defendants ask the Court to dismiss all claims asserted by Plaintiff, Joseph G. Rodojev. On July 26, 2010, Plaintiff filed a Memorandum in Opposition (Docket #10). On August 10, 2010, Defendants filed a Reply Brief (Docket #15).

This case was referred to Magistrate Judge McHargh for general pretrial supervision. (Docket #13.) Based on a thorough review of the Complaint in this case, and the exhibits attached thereto, as well as all applicable statutory and case law, the Magistrate Judge recommends that the Court grant Defendants' Motion to Dismiss.

On January 24, 2011, Plaintiff filed Objections and Opposition to Magistrate Judge McHargh's Report and Recommendation (Docket #33). On February 7, 2010, Defendants filed their Response to Plaintiff's Objections and Opposition (Docket #35).

Standard of Review for a Magistrate Judge's Report and Recommendation

The applicable district court standard of review for a magistrate judge's report and recommendation depends upon whether objections were made to the report. When objections are made to a report and recommendation of a magistrate judge, the district court reviews the case *de novo*. FED. R. CIV. P. 72(b) provides:

> The district judge must determine de novo any part of the magistrate judge's disposition that has been properly objected to. The district judge may accept, reject, or modify the recommended disposition; receive further evidence; or return the matter to the magistrate judge with instructions.

Conclusion

The Court has reviewed the Magistrate Judge's Report and Recommendation *de novo*. The Court analyzed Plaintiff's objections and opposition to the Report and Recommendation and Defendants' response thereto. The objections and opposition offered by Plaintiff do not affect the disposition of any of the claims raised in the Complaint. Magistrate Judge McHargh thoroughly and exhaustively reviewed the allegations in the Complaint in conjunction with all applicable statutory and case law and, for the reasons stated in his Report and Recommendation, properly concluded that the Complaint should be dismissed in its entirety, as Plaintiff's Complaint fails to state a claim upon which relief may be granted.

Accordingly, the Report and Recommendation issued by Magistrate Judge McHargh

(Docket #29) is ADOPTED in its entirety. The Motion to Dismiss filed by Defendants (Docket #6) is GRANTED. This case is DISMISSED WITH PREJUDICE.

IT IS SO ORDERED.

Donald C. Nugent

DONALD C. NUGENT
United States District Judge

DATED: February 10, 2011