

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

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RANDOLPH S. STEPP,		:	CASE NO. 1:13 CV 01126
		:	
	Plaintiff,	:	<u>ORDER ADOPTING THE</u>
		:	<u>MAGISTRATE JUDGE'S REPORT AND</u>
-vs-		:	<u>RECOMMENDATION</u>
		:	
		:	
MEDINA CITY SCHOOL DISTRICT		:	
BOARD OF EDUCATION, et al.,		:	
		:	
	Defendants.	:	

UNITED STATES DISTRICT JUDGE LESLEY WELLS

Before the Court is the report and recommendation of United States Magistrate Judge William H. Baughman, Jr., addressing intervenor J.R. Russell's motion to intervene pursuant to Federal Rule of Civil Procedure 24. The Magistrate Judge recommends, *inter alia*, that the motion be denied, and no party has objected.

Pursuant to 28 U.S.C. § 636(b)(1), this Court makes a de novo determination of those portions of the R&R to which a timely objection is made. "When no timely objection is filed, the court need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation." Fed. R. Civ. P. 72(b) advisory committee's note.

Therefore, because the parties have not filed timely objections and the Court perceives no clear error on the face of the record, the Court adopts the Magistrate Judge's report and recommendation in its entirety and

(1) declines supplemental jurisdiction over all Ohio law claims in this matter, including those raised by the counterclaim, dismissing them without prejudice;

(2) dismisses with prejudice the plaintiff's federal due process claims in Counts I and II relating to the alleged breach of his employment contract;

(3) denies the motion to intervene as moot; and

(4) stays proceedings as to the plaintiff's First Amendment claims in Counts III and IV.

Further, this matter is CLOSED subject to reopening upon written motion notifying the Court that the Ohio law claims in the pending case in the Medina County Court of Common Pleas have been resolved.

IT IS SO ORDERED.

/s/ Lesley Wells
UNITED STATES DISTRICT JUDGE

Date: 5 August 2014