

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

REAL GOOD TECHNOLOGIES, LLC,)	CASE NO. 1: 17 CV 149
)	
Plaintiff,)	JUDGE DONALD C. NUGENT
)	
v.)	<u>ORDER ADOPTING</u>
)	<u>MAGISTRATE'S REPORT AND</u>
)	<u>RECOMMENDATION AND ORDER</u>
VICTORY SOLUTIONS, LLC,)	<u>AWARDING COSTS</u>
)	
Defendant.)	

This matter comes before the Court upon the Report and Recommendation of Magistrate Judge Thomas M. Parker (ECF #85) on the Plaintiff's Motion for Costs for the failure of Defendant's president, Shannon Burns, to appear for deposition on June 1, 2017.(ECF #32). Magistrate Judge Parker determined that sanctions were appropriate in this situation; recommended that this Court grant Plaintiff's motion for sanctions; and directed Plaintiff to submit an itemized invoice of the costs of the missed deposition. Magistrate Judge Parker also granted, in part, Plaintiff's request to order Mr. Burns to appear for deposition in the presence of Magistrate Judge Parker. Judge Parker ordered Mr. Burns to appear for deposition on July 27, 2017, to take place in the chambers of Magistrate Judge Parker, but without the Court's direct supervision. In accordance with Magistrate Judge Parker's directive, Plaintiff submitted an invoice from Real Time Reporters in the amount of \$245.00 as the costs of the missed deposition. There has been no objection filed in response to the Report and Recommendation.

The Court has reviewed *de novo* the Report and Recommendation, *see Ohio Citizen Action v. City of Seven Hills*, 35 F. Supp. 2d 575, 577 (N.D. Ohio 1999), and ADOPTS the

Report and Recommendation in its entirety. Plaintiff's Motion for Costs (ECF #32) is GRANTED and Defendant is Ordered to pay Plaintiff's costs for the missed deposition in the amount of \$245.00. IT IS SO ORDERED.

/s/Donald C. Nugent
DONALD C. NUGENT
United States District Judge

DATED: August 10, 2017