

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

HITACHI MEDICAL SYSTEMS AMERICA, INC.,)	CASE NO. 5:09-CV-01575
)	
PLAINTIFF,)	JUDGE SARA LIOI
)	
vs.)	ORDER
)	
)	
DANIEL BRANCH <i>et al.</i> ,)	
)	
)	
DEFENDANTS.)	

Before the Court is the report and recommendation of the Magistrate Judge in the above-entitled action issued on September 14, 2010. Under the explicit terms of that report and recommendation, and in accordance with the Federal Rules of Civil Procedure and the Local Rules of this Court: “ANY OBJECTIONS to this Report and Recommendation must be filed with the Clerk of Court within fourteen (14) days of service of this notice.” (Doc. No. 173 at 24) (citing Fed. R. Civ. P. 72: L. R. 72.3). In this case, the fourteen-day period has elapsed, and no objections have been filed. The failure to file written objections to a Magistrate Judge’s report and recommendation constitutes a waiver of a *de novo* determination by the district court of an issue covered in the report. *Thomas v. Arn*, 728 F.2d 813 (6th Cir. 1984), *aff’d*, 474 U.S. 140 (1985); *see United States v. Walters*, 638 F.2d 947 (6th Cir. 1981); *see also* L.R. 72.3(b).

The Court has reviewed the Magistrate Judge's report and recommendation (Doc. No. 173) and adopts the same. Accordingly, Plaintiff's motion for preliminary injunction (Doc. No. 41) is **DENIED**.

IT IS SO ORDERED.

Dated: October 7, 2010



HONORABLE SARA LIOI
UNITED STATES DISTRICT JUDGE