

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

KAREN RUMBLE,

Plaintiff

v.

C-1-07-979

CONVERGYS,

Defendant

This matter is before the Court upon the Report and Recommendation of the United States Magistrate Judge (doc. no. 38), plaintiff's objections (doc. no. 43) and defendant's response (doc. no. 45). The Magistrate Judge concluded that, based on the evidence in the record, there are no genuine issues of material fact for trial and therefore recommended that defendant is entitled to judgment as a matter of law on all counts of the Complaint. The Magistrate Judge, therefore, recommended that defendant's Motion for Summary Judgment (doc. no. 18) be granted and that this case be dismissed and terminated on the docket of this Court.

Plaintiff objects to the Magistrate Judge's conclusions that other evidence of favoritism toward men did not provide additional support for plaintiff's prima facie case; the recommended finding that plaintiff did not engage in protected conduct when she complained that her boss did not like women, did not like her, and that he was trying to set up plaintiff for failure; the Magistrate Judge's recommended finding that no reasonable juror could find that defendant's stated reason for its conduct was pretextual; and the Magistrate Judge's recommended finding that plaintiff's claim for breach of contract should be dismissed.

CONCLUSION

Upon a *de novo* review of the record, especially in light of plaintiff's objections, the Court finds that plaintiff's objections have either been adequately addressed and properly disposed of by the Judge or present no particularized arguments that warrant specific responses by this Court. The Court finds that the Magistrate Judge has accurately set forth the controlling principles of law and properly applied them to the particular facts of this case and agrees with the Judge.

Accordingly, the Court hereby ADOPTS AND INCORPORATES BY REFERENCE HEREIN the Report and Recommendation of the United States Magistrate Judge (doc. no. 38). Defendant's Motion for Summary Judgment (doc. no. 18) is GRANTED and this case is DISMISSED AND TERMINATED on the docket of this Court.

IT IS SO ORDERED.

s/Herman J. Weber
Herman J. Weber, Senior Judge
United States District Court