

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

Reginald Higgins, Sr.,	:	
	:	
Plaintiff(s),	:	
	:	Case Number: 1:09cv228
vs.	:	
	:	Chief Judge Susan J. Dlott
Vitran Express, et. al.,	:	
	:	
Defendant(s).	:	

ORDER

This matter is before the Court pursuant to the Order of General Reference in the United States District Court for the Southern District of Ohio Western Division to United States Magistrate Judge Timothy S. Hogan. Pursuant to such reference, the Magistrate Judge reviewed the pleadings and filed with this Court on March 30, 2010 two Report and Recommendations (Docs. 44 and 45). Subsequently, the plaintiff filed objections to such Report and Recommendations (Doc. 48).

The Court has reviewed the comprehensive findings of the Magistrate Judge and considered de novo all of the filings in this matter. Upon consideration of the foregoing, the Court does determine that such Recommendations should be adopted.

Accordingly, Defendant Vitran Express’s motion to strike plaintiff’s putative amended complaint is **GRANTED** (Doc. 37).

Defendant Vitran Express’s alternative partial motion to dismiss plaintiff’s putative amended complaint is **DENIED** as moot.

Defendant Parker-Hannifin’s motion to dismiss plaintiff’s amended complaint (Doc. 40) is **GRANTED**.

Defendant Parker-Hannifin's motion for attorney fees (Doc. 40) is **DENIED**.

**IT IS SO ORDERED.**

s/Susan J. Dlott  
Chief Judge Susan J. Dlott  
United States District Court