UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

ELENA FAMULARCANO,	:	NO. 1:10-CV-00511
Plaintiff,	:	
vs.	:	**ORDER**
SANMAR CORP., et al.,	:	
Defendants.	:	

This matter is before the Court on the Magistrate Judge's Reports and Recommendation (doc. 41), to which there were no objections. The Magistrate Judge recommended the Court grant Defendants' motion for summary judgment, which was unopposed by Plaintiff, due to lack of either direct or circumstantial evidence in support of her claims (doc. 41). The Magistrate Judge reasoned that Defendants proffered a legitimate nondiscriminatory reason for Plaintiff's discharge, her failure to meet minimum productivity and accuracy standards, the same basis for the discharge of similarly-situated employees outside Plaintiff's national origin (Id.). Finally, the Magistrate Judge recommended the Court decline to exercise supplemental jurisdiction over Plaintiff's state law claim, which the Court should dismiss without prejudice to refiling in state court (Id.).

Proper Notice has been given to the parties under 28 U.S.C. § 636(b)(1)(C), including notice that the parties would

waive further appeal if they failed to file objections to the Report and Recommendation in a timely manner. United States v. Walters, 638 F.2d 947 (6th Cir. 1981). As of the date of this Order, no objections have been filed.

Having reviewed this matter de novo pursuant to 28 U.S.C. § 636, the Court finds the Magistrate Judge's Report and Recommendation thorough, well-reasoned, and correct.

Accordingly, the Court hereby ADOPTS and AFFIRMS the Magistrate Judge's Reports and Recommendation (doc. 41) in all respects, and GRANTS Defendants' Motion for Summary Judgment (doc. 35) as to Plaintiff's federal claims. The Court further DECLINES to exercise supplemental jurisdiction over Plaintiff's state law claim of intentional infliction of emotional distress, and DISMISSES such claim without prejudice.

SO ORDERED.

DATED: 10/11/02

S. Arthur Spiegel
United States Senior District Judge