

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

James W. Ballinger,  
Individually and on behalf of  
all others similarly situated,

Plaintiff,

v.

Ocwen, et al,

Defendants.

Case No. 1:10cv798

Judge Michael R. Barrett

**ORDER**

This matter is before the Court on the Report and Recommendation (“Report”) filed by Magistrate Judge Karen L. Litkovitz on April 8, 2011 (Doc. 10). 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 in a timely manner. *See United States v. Walters*, 638 F.2d 947, 949-50 (6th Cir. 1981).<sup>1</sup> No objection to the Report has been filed.

Having reviewed this matter de novo pursuant to 28 U.S.C. § 636, this Court finds the Report to be correct. Accordingly, it is **ORDERED** that the Report is hereby **ADOPTED**. As the Report recommends (Doc. 10, 2), Plaintiff’s motion for default/summary judgment (Doc. 6) is **DENIED**.

**IT IS SO ORDERED.**

s/Michael R. Barrett  
UNITED STATES DISTRICT JUDGE

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<sup>1</sup> Notice was attached to the Report regarding objections. (Doc. 10, 3.)