

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

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| VINCENT LUCAS, | : | Case No. 1:12-cv-630 |
| | : | |
| Plaintiff, | : | Judge Timothy S. Black |
| | : | Magistrate Judge Stephanie K. Bowman |
| vs. | : | |
| | : | |
| TELEMARKETER CALLING FROM | : | |
| (407) 476-5680 AND OTHER | : | |
| TELEPHONE NUMBERS, <i>et al.</i> , | : | |
| | : | |
| Defendants. | : | |

**DECISION AND ENTRY
ADOPTING THE REPORT AND RECOMMENDATION
OF THE UNITED STATES MAGISTRATE JUDGE (Doc. 249)**

This case is before the Court pursuant to the Order of General Reference to United States Magistrate Judge Stephanie K. Bowman. Pursuant to such reference, the Magistrate Judge reviewed the pleadings filed with this Court and, on November 2, 2020, submitted a Report and Recommendation. (Doc. 249). No objections were filed.

As required by 28 U.S.C. § 636(b) and Fed. R. Civ. P. 72(b), 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 the Report and Recommendation (Doc. 249) should be and is hereby **ADOPTED** in its entirety.

Accordingly, for the reasons stated above:

- 1) Defendant Fred Accuardi’s Answer to the Third Amended Complaint (Doc. 198) is hereby **STRICKEN**;

- 2) The Clerk of Court **SHALL enter a default judgment** against Defendant Fred Accuardi under Fed. R. Civ. P. 55(a) on all remanded claims, based upon his failure to appear.

IT IS SO ORDERED.

Date: 11/30/2020

s/Timothy S. Black
Timothy S. Black
United States District Judge