Doc. 255

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF OHIO WESTERN DIVISION

VINCENT LUCAS, : Case No. 1:12-cv-630

:

Plaintiff, : Judge Timothy S. Black

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vs. : Magistrate Judge Stephanie K.

Bowman

TELEMARKETER CALLING FROM

(407) 476-5680 AND OTHER :

TELEPHONE NUMBERS, et al.,

:

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. The Report and Recommendation (Doc. 249) is **ADOPTED**;

- 2. Defendant Fred Accuardi's Answer to the Third Amended Complaint (Doc. 198) is **STRICKEN**;
- 3. The Clerk shall <u>enter a default</u> against Fred Accuardi under Fed. R. Civ. P. 55(a) on all remanded claims, based upon his failure to appear.

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Date:	12/1/2020	s/Timothy S. Black
		Timothy S. Black
		United States District Judge