UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

KALEMBA BALIMUNKWE,	:	Case No. 1:14-cv-327
Plaintiff,	:	Judge Timothy S. Black
	:	Magistrate Judge Karen L. Litkovitz
vs.	:	
BANK OF AMERICA, N.A., AS SUCCESSOR TO FIRST FRANKLIN FINANCIAL CORP., *et al.*,	:	
Defendants.	:	

DECISION AND ENTRY: (1) ADOPTING THE REPORT AND RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE (DOC. 107); (2) GRANTING DEFENDANTS' MOTION TO EXCLUDE EXPERT CURTIS BAGGETT FROM FUTURE MOTIONS, HEARINGS, AND TRIAL (DOC. 71); AND DENYING AS MOOT PLAINTIFF'S MOTION FOR A RULING ON THE MOTION TO EXCLUDE EXPERT CURTIS BAGGETT (DOC. 104)

This case 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 Karen L. Litkovitz. Pursuant to such reference, the Magistrate Judge reviewed the numerous pleadings filed with this Court and, having held a hearing on the matter of Defendants' motion to exclude Curtis Baggett as an expert witness from these proceedings, submitted an Order and Report and Recommendation on September 3, 2015 (Doc. 107). No objections were filed.[1]

[1] Plaintiff not only failed to object, but, rather, in the wake of the Magistrate Judge's Recommendation, instead filed a "Request for Leave of Court to Get Another Hand Writing Expert" (Doc. 109), a "Request

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 such Report and Recommendation should be and is hereby adopted in its entirety with regard to the motion to exclude the testimony of Curtis Baggett as an expert witness.[2]

Accordingly:

1. The Report and Recommendation (Doc. 107) as it relates to the issue of the testimony of Curtis Baggett as an expert witness is **ADOPTED**;

2. Defendants' Motion to Exclude Expert Curtis Baggett from Future Motions, Hearings, and Trial (Doc. 71) is **GRANTED**; and

3. Plaintiff's Motion to Ask the Honorable Court to Make a Decision on the Motion to Exclude the Expert Curt Baggett (Doc. 104) is **DENIED AS MOOT**.

IT IS SO ORDERED.

Date: 10/2/15

Timothy S. Black
United States District Judge

for Leave of Court to File his Supplemental Affidavits No. 1 and No. 2 with Curt Baggett Excluded" (Doc. 110), and a "Notice of Another Handwriting Expert and Forensic Document Examiner" (Doc. 112).

[2] The Magistrate Judge also recommended, in accord with her Order docketed June 3, 2015 (Doc. 88), that Plaintiff be granted ten days from the date this Court issued its ruling on the instant Report and Recommendation to respond to Defendants' motions for summary judgment (Doc. 107 at 31). Inasmuch as Plaintiff already has filed memoranda in opposition to both dispositive motions (*see* Docs. 108, 111), this recommendation is moot.