

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

Earl Kelly Prince, *et al.*,

Plaintiffs,

v.

Case No. 1:16cv419

National Labor Relations Board, *et al.*,

Judge Michael R. Barrett

Defendants.

ORDER

This matter is before the Court on the Report and Recommendation filed by the Magistrate Judge on April 20, 2017 (Doc. 33).

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). On May 4 and June 2, 2017, Plaintiffs requested additional time within which to file any objections for the aforementioned Report and Recommendation (Doc. 33). Orders (Docs. 36 and 41) were issued extending the objection period to June 5, 2017 and then again seven (7) days of the entry on June 23, 2017. No objections to the Magistrate Judge's Report and Recommendation have been filed.

Accordingly, it is **ORDERED** that the Report and Recommendation (Doc. 33) of the Magistrate Judge is hereby **ADOPTED**. The United States' Motion to Dismiss (Doc. 21) is **GRANTED**; the National Labor Relations Board's Motion for Summary Judgment (Doc. 23) is **GRANTED**; and Defendants Robles and Ohr's Motion to Dismiss

(Doc. 24) is **GRANTED** all consistent with the recommendation by the Magistrate Judge.

Any request for certificate of appealability or request to certify an appeal would not be taken in good faith and would be denied.

IT IS SO ORDERED.

s/ Michael R. Barrett
Michael R. Barrett
United States District Judge