

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

**CITY OF COLUMBUS, OHIO,**

**Plaintiff,**

**v.**

**SUNSTAR COLUMBUS, INC., et al.,**

**Defendants.**

**Case No. 2:15-cv-1864**

**JUDGE GREGORY L. FROST**

**Magistrate Judge Terence P. Kemp**

**OPINION AND ORDER**

This matter is before the Court for consideration of the Magistrate Judge's October 2, 2015 Report and Recommendation. (ECF No. 13.) The Magistrate Judge recommended that the Court grant in part and deny in part Plaintiff's motion to remand so that the Court would remand this action to state court and deny an award of attorneys' fees. The Report and Recommendation advised the parties that a failure to file a timely objection would waive the right to *de novo* review by the undersigned and the right to appeal a decision adopting the Report and Recommendation. Because no objections have been filed, the time for filing objections has expired, and the Magistrate Judge's reasoning is correct, the Court **ADOPTS** the Report and Recommendation (ECF No. 13) and **GRANTS IN PART** and **DENIES IN PART** the motion to remand (ECF No. 9). The case is remanded to the Franklin County Municipal Court, Environmental Division, and the request for an award of attorneys' fees is not well taken.

**IT IS SO ORDERED.**

/s/ Gregory L. Frost  
GREGORY L. FROST  
UNITED STATES DISTRICT JUDGE