

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON

GREGORY WALKER JOHNSON

Plaintiff,

-v-

LEVI STRAUSS, et al.,

Defendants.

Case No. C-3:08-cv-461

Judge Thomas M. Rose  
Magistrate Sharon L. Ovington

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**ENTRY AND ORDER ADOPTING THE MAGISTRATE JUDGE'S  
REPORT AND RECOMMENDATIONS (Doc. #52) REGARDING A  
MOTION TO DISMISS FILED BY DEFENDANTS COLUMBIA  
SPORTSWEAR, INC.; SEAN JOHN CLOTHING, INC.; TARGET CORP.;  
ICONIX BRANDS, INC.; PHILLIPS-VAN HEUSEN CORP.; AND BON-  
TON STORES, INC. (Doc. #34): DISMISSING DEFENDANTS COLUMBIA  
SPORTSWEAR, INC.; SEAN JOHN CLOTHING, INC.; TARGET CORP.;  
ICONIX BRANDS, INC.; PHILLIPS-VAN HEUSEN CORP.; AND BON-  
TON STORES, INC. AND DENYING THESE DEFENDANTS' MOTION  
IN THE ALTERNATIVE FOR A MORE DEFINITIVE STATEMENT AS  
MOOT**

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This matter comes before the Court pursuant to Magistrate Judge Sharon L. Ovington's Report and Recommendations (doc. #52) regarding a Motion To Dismiss filed by Defendants Columbia Sportswear, Inc.; Sean John Clothing, Inc.; Target Corp.; Iconix Brands, Inc.; Phillips-Van Heusen Corp.; and Bon-Ton Stores, Inc. Pro se Plaintiff Gregory Walker Johnson ("Johnson") has objected to this Report and Recommendations (doc. #53) and a response to Johnson's Objections has not been filed.

As required by 28 U.S.C. §636(b) and Federal Rules of Civil Procedure Rule 72(b), the District Judge has made a de novo review of the record in this case. Upon said review, the Magistrate Judge's Report and Recommendations is adopted in its entirety.

The Motion To Dismiss filed by Defendants Columbia Sportswear, Inc.; Sean John Clothing, Inc.; Target Corp.; Iconix Brands, Inc.; Phillips-Van Heusen Corp.; and Bon-Ton Stores, Inc. is GRANTED. Further, the Motion In the Alternative for a More Definitive Statement filed by Defendants Columbia Sportswear, Inc.; Sean John Clothing, Inc.; Target Corp.; Iconix Brands, Inc.; Phillips-Van Heusen Corp.; and Bon-Ton Stores, Inc. is DENIED AS MOOT. Finally, the Clerk of Courts is hereby ordered to provide a copy of this Entry and Order to Gregory Walker Johnson at his last address of record.

**DONE** and **ORDERED** in Dayton, Ohio, this Fourth day of September, 2009.

**s/Thomas M. Rose**

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THOMAS M. ROSE  
UNITED STATES DISTRICT JUDGE

Copies furnished to:

Counsel of Record  
Gregory Walker Johnson