

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON**

DEBORAH A. JONES,

Plaintiff,

- vs -

HEARTLAND-BEAVERCREEK  
OF DAYTON OH LLC,

Defendant.

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Case No. 3:10-cv-381

District Judge Walter Herbert Rice  
Magistrate Judge Michael R. Merz

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**ORDER ADOPTING REPORT AND RECOMMENDATIONS**

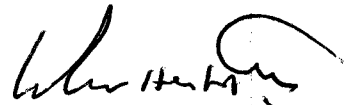
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The Court has reviewed the Report and Recommendations of United States Magistrate Judge Michael R. Merz (Doc. #11), to whom this case was referred pursuant to 28 U.S.C. § 636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) has expired, hereby ADOPTS said Report and Recommendations.

Accordingly, it is ORDERED that Count V is hereby DISMISSED.

January 18, 2011.



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Walter Herbert Rice  
United States District Judge