

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

UNITED STATES, *ex rel.*,
P-1 CONTRACTING, INC.,

Plaintiffs,

Case No. 3:12-CV-418

v.

THE QUANDEL GROUP, INC., *et al.*,

Magistrate Judge Michael J. Newman
(Consent Case)

Defendants.

ORDER

This is a consent case. The Court is in receipt of what appears to be a Proposed Order that was emailed to Judge Black's chambers by Plaintiff's counsel. Doc. 41. The email advises the Court that it is a "proposed dismissal entry" and that Defendants Quandel Group, Inc. and Western Surety Company consent to its entry. The email also provides that Defendant The Aspire Group of Ohio, LLC does not consent to its entry.

The Proposed Order would dismiss with prejudice Plaintiff's claims against Defendants Quandel Group and Western Surety, as well as the respective counterclaims of those Defendants. Additionally, the Proposed Order would dismiss without prejudice Plaintiff's claims against Aspire.

Plaintiff's counsel has provided no indication that there has been a settlement in the matter. *See* S.D. Ohio Civ. P. 7.2(c). Because the parties have not submitted a motion for the Court's consideration, Fed. R. Civ. P. 7(b), the Court is unable to take any action. Accordingly, the parties are advised that they must file a motion for the Court to consider the relief they seek.

IT IS SO ORDERED.

January 24, 2014

s/ **Michael J. Newman**
United States Magistrate Judge