

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

DAYTON VETERANS
RESIDENCES LIMITED :
PARTNERSHIP, d/b/a
FREEDOM'S PATH AT DAYTON, :
Plaintiff,

v. :

DAYTON METROPOLITAN
HOUSING AUTHORITY, d/b/a
GREATER DAYTON PREMIER
MANAGEMENT,

Defendant.

Case No. 3:16-cv-466
JUDGE WALTER H. RICE

DECISION AND ENTRY ADOPTING UNITED STATES MAGISTRATE
JUDGE'S REPORT AND RECOMMENDATIONS (DOC. #17);
OVERRULING DEFENDANT'S MOTION TO DISMISS UNDER 12(b)(1)
AND 12(b)(6) (DOC. #7)

Based on the reasoning and citations of authority set forth by United States Magistrate Judge Sharon L. Ovington in her Report and Recommendations, Doc. #17, as well as upon a thorough *de novo* review of this Court's file and the applicable law, the Court ADOPTS said judicial filing in its entirety. The Court notes that, although the parties were notified of their right to file Objections to the Report and Recommendations, and of the consequences of failing to do so, no Objections have been filed within the time allotted.

Accordingly, the Court OVERRULES Defendant's Motion to Dismiss Under 12(b)(1) and 12(b)(6), Doc. #7.

Date: September 6, 2017



WALTER H. RICE
UNITED STATES DISTRICT JUDGE