IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

LINDA METCALF, et al.,

No. 4:11-CV-00127

Plaintiffs,

(Judge Brann)

v.

(Chief Magistrate Judge Schwab)

MERRILL LYNCH, PIERCE, FENNER & SMITH, INC., et al.,

Defendants.

ORDER

NOVEMBER 15, 2018

On October 31, 2018, Chief Magistrate Judge Susan E. Schwab issued a Report and Recommendation, ECF No. 254, recommending that this Court sanction Plaintiffs' counsel Maxwell S. Kennerly in the amount of \$22,510.50. Mr. Kennerly did not object to that recommendation.

This Court has reviewed the Report and Recommendation and finds that "there is no clear error on the face of the record" and that the sanctions are justified for the reasons stated by Chief Magistrate Judge Schwab. Therefore, **IT IS HEREBY ORDERED** that:

Chief Magistrate Judge Schwab's Report and Recommendation, ECF No.
254, is ADOPTED IN ITS ENTIRETY.

¹ Univac Dental Co. v. Dentsply Intern., Inc., 702 F. Supp. 2d 465, 469 (M.D. Pa. 2010).

- 2. Mr. Kennerly **SHALL PAY** Defendants' counsel fees in the amount of \$22,510.50.
- 3. The Motion to Withdraw as Counsel filed by Kimberly Spangler-Loutey, ECF No. 255, is **GRANTED**.

BY THE COURT:

s/Matthew W. BrannMatthew W. BrannUnited States District Judge