

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION**

**JEFFREY BRENT BROOKS,**  
**Plaintiff,**

**v.**

**BOILERMAKERS-BLACKSMITH  
UNION NATIONAL PENSION TRUST,**  
**Defendant.**

)  
)  
) **Case No. 3:15-1034**  
)  
) **Judge Sharp**

**ORDER**

Pending before the Court is a Report and Recommendation (“R & R”) of the Magistrate Judge (Docket No. 16), recommending that Plaintiff’s Motion for Judgment on the Record be denied and that Defendant’s Motion for Judgment on the Record be granted. Neither party has filed any objections to the Magistrate Judge’s R & R.

Where no objections are made to the R & R, “[t]he district judge may accept, reject, or modify the recommended disposition; receive further evidence; or return the matter to the magistrate judge with instructions.” FED. R. CIV. P. 72(b).

Having conducted a *de novo* review in accordance with Rule 72, the Court will accept the disposition set forth in the R & R. Accordingly, the Court rules as follows:

- (1) The R & R (Docket No. 16) is hereby ACCEPTED and APPROVED;
- (2) Plaintiff’s Motion for Judgment on the Record is DENIED; and
- (3) Defendant’s Motion for Judgment on the Record is GRANTED.

The Clerk of the Court shall enter Final Judgment in a separate document in accordance with Rule 58 of the Federal Rules of Civil Procedure.

It is SO ORDERED.



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KEVIN H. SHARP  
UNITED STATES DISTRICT JUDGE