UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

KEVIN THORNTON,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	1:15-cv-00320-SEB-MJD
	)	
CMB ENTERTAINMENT, LLC,	)	
et al.	)	
Defendants.	)	

ORDER ADOPTING REPORT AND RECOMMENDATION

The Magistrate Judge submitted his Report and Recommendation on Defendant's Motion to Dismiss for Failure to State a Claim [Dkt. 9]. The parties were afforded due opportunity pursuant to statute and the rules of this Court to file objections; none were filed. The Court, having considered the Magistrate Judge's Report and Recommendation, hereby adopts the Magistrate Judge's Report and Recommendation.

The Court GRANTS Defendants' Motion to Dismiss Counts III and IV of Plaintiff's Complaint and DENIES Defendant's Motion to Dismiss Count II of Plaintiff's Complaint WITHOUT PREJUDICE. Plaintiff is granted leave to file an amended complaint consistent with this opinion within fourteen (14) days of this order.

SO ORDERED.

08/31/2015

Sarah Evans Barker

SARAH EVANS BARKER, JUDGE
United States District Court
Southern District of Indiana

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