

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION**

PAUL LOEBE, II,)	
)	
Plaintiff,)	
)	
vs.)	No. 1:15-cv-00903-TWP-MJD
)	
BRIAN G. KOLFAGE, SR.,)	
SCOTT KUHNEN,)	
LOGAN ELIA,)	
BRIAN G. KOLFAGE, JR. also known as)	
SENIOR AIRMAN BRIAN KOLFAGE,)	
ASHLEY KOLFAGE,)	
)	
Defendants.)	

ORDER ADOPTING REPORT AND RECOMMENDATION

The Magistrate Judge submitted his Report and Recommendation on Defendant Logan Elia’s Motion to Dismiss (Dkt. 20). 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. Defendant Logan Elia’s Motion to Dismiss is hereby **GRANTED**. Plaintiff’s Motion for Leave to File Sur-Reply in Support of Plaintiff’s Response in Opposition to Motion to Strike (Dkt. 33) is **GRANTED** and Defendant Logan Elia’s Motion to Strike Plaintiff’s Sur-Reply in Opposition to Defendant’s Motion to Dismiss is **DENIED as MOOT** (Dkt. 31).

Date: 11/24/2015



TANYA WALTON PRATT, JUDGE
United States District Court
Southern District of Indiana

Distribution:

SCOTT KUHNEN
412 Colden Pold Road
Ellerbe, NC 28338

PAUL LOEBE, II
P.O. Box 744
Anderson, IN 46015

BRIAN G. KOLFAGE, SR.
.24706 Michigan Avenue
Dearborn, MI 48124

Louis J. Britton
KIGHTLINGER & GRAY
lbritton@k-glaw.com

Michael E. Brown
KIGHTLINGER & GRAY
mbrown@k-glaw.com