

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF KENTUCKY
AT LOUISVILLE**

RON WADE, ET AL.

PLAINTIFFS

vs.

NO. 3:01CV-699-R

KROGER COMPANY, ET AL.

DEFENDANTS

ORDER

Having received the Report and Recommendation of the Magistrate Judge (docket no. 211), noting that there is no objection thereto, and being otherwise sufficiently advised,

IT IS HEREBY ORDERED that the Court adopts the Magistrate Judge's Recommendation. The Consent Decree is officially terminated effective December 21, 2011.

DATE:

Copies to:
Counsel of Record

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REPORT AND RECOMMENDATION

On Wednesday, December 7, 2011, counsel for the parties appeared before the court by telephone to advise the court that the consent decree current in force will terminate on December 21, 2011. Counsel for plaintiffs informed the court that they have been reviewing the compliance reports that have been filed regularly by the defendants, and that they are satisfied with the defendants' compliance. Accordingly, plaintiffs do not oppose the termination of the decree.

Having heard the comments of counsel during today's telephonic conference, the magistrate judge recommends that the district court enter an order on December 21, 2011, that officially terminates the consent decree.

DATE:

Copies to:
Counsel of Record

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NOTICE

Within fourteen (14) days after being served a copy of these proposed Findings and Recommendation, any party who wishes to object must file and serve written objections or further appeal is waived. Thomas v. Arn, 728 F.2d 813 (6th Cir. 1984), aff'd., 474 U.S. 140 (1985). 28 U.S.C. § 636(b)(1)(C); Fed.R.Civ.P. 72(b).