IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON

NATIONAL LABOR RELATIONS BOARD,	:	Case No. 3:15-mc-12
	:	Judge Thomas M. Rose
Applicant,	:	
v.	:	
CANON SOLUTIONS AMERICA, INC.,	:	
Respondent.	:	

ENTRY AND ORDER OVERRULING OBJECTIONS (DOC. 8) TO THE REPORT AND RECOMMENDATIONS (DOC. 7); ADOPTING THE REPORT AND RECOMMENDATIONS (DOC. 7) IN THEIR ENTIRETY; GRANTING APPLICATION FOR ORDER REQUIRING OBEDIENCE TO SUBPOENA DUCES TECUM (DOC. 1); GRANTING DEFENDANT'S MOTION TO STRIKE (DOC. 13) APPLICANT'S MEMORANDUM IN OPPOSITION (DOC. 12); AND TERMINATING THIS CASE

This case is before the Court on the Objections (Doc. 8) filed by Respondent Canon Solutions America, Inc., ("Respondent") to the Report and Recommendations (Doc. 7) entered by Chief Magistrate Judge Sharon L. Ovington and Respondent's Motion to Strike (Doc. 13) the National Labor Relations Board's ("NLRB") Memorandum in Opposition (Doc. 12) to Respondent's Reply in support of its Objections.

In accordance with 28 U.S.C. § 636(b) and Federal Rule of Civil Procedure 72(b), the Court has made a *de novo* review of the record in this case. Upon said review, the Court finds that Respondent's Objections (Doc. 8) to the Report and Recommendations (Doc. 7) are not well taken and they are hereby **OVERRULED**. The Court **ADOPTS** the Report and Recommendations (Doc. 7) in their entirety. In addition, the Court **GRANTS** Respondent's Motion to Strike (Doc.

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13) the NLRB's Memorandum in Opposition (Doc. 12) because sur-replies are not permitted under the rules and the NLRB failed to seek leave of Court to file it.

Accordingly, it is hereby **ORDERED** that:

1. The NLRB's Application (Doc. 1) for an order requiring compliance with its subpoena duces tecum, dated August 7, 2015, is **GRANTED**;

2. Respondent must provide to the NLRB, within 21 days of this Entry and Order, a complete list and/or records, including the name, email address, mailing address, and telephone number, of all individuals who were employed by Canon Solutions America, Inc., as location service technicians, engineers and specialists, in Cincinnati and Dayton, Ohio, from January 1, 2013 through May 29, 2015;

3. The Clerk is directed to **STRIKE** Applicant's Memorandum in Opposition to Respondent's Reply in Support of Defendant's Objections to Magistrate Judge's Report and Recommendations (Doc. 12) from the docket of this Court; and

4. This case is **TERMINATED** on the Court's docket.

DONE and **ORDERED** in Dayton, Ohio, this Monday, May 2, 2016.

s/Thomas M. Rose

THOMAS M. ROSE
UNITED STATES DISTRICT JUDGE