

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS**

JERRY L. BERG,)	
)	
Plaintiff/)	
Counterclaim Defendant,)	
)	CIVIL ACTION
v.)	
)	No. 12-1123-KHV
JON L. FROBISH, et al.,)	
)	
Defendants/)	
Counter Claimants.)	
)	

ORDER ADOPTING REPORT AND RECOMMENDATIONS

On March 13, 2013, Magistrate Judge Kenneth G. Gale issued a report and recommendations with respect to plaintiff’s Motion For Emergency Preliminary Injunction For Order To Compel Budget, Records And Access To Meetings Or For A Writ Of Mandamus (Doc. #115) filed November 21, 2012. Magistrate Judge Gale recommended that this Court deny plaintiff’s motion as both redundant and moot. See Memorandum And Order And Report & Recommendations (Doc. #203) filed March 13, 2013. Pursuant to 28 U.S.C. § 636(b)(1) and Rule 72(a), Fed. R. Civ. P., plaintiff had 14 days to file a written objection. Plaintiff has not done so. For this reason, and for substantially the reasons stated by Magistrate Judge Gale, the Court **ADOPTS** the Report and Recommendations (Doc. #203) in their entirety.

IT IS THEREFORE ORDERED that the Memorandum And Report & Recommendations (Doc. #203) filed March 13, 2013 be and hereby are adopted in their entirety.

IT IS FURTHER ORDERED that plaintiff’s Motion For Emergency Preliminary Injunction For Order To Compel Budget, Records And Access To Meetings Or For A Writ Of Mandamus (Doc. #115) filed November 21, 2012, be and hereby is **OVERRULED**.

Dated this 3rd day of July, 2013, at Kansas City, Kansas.

s/ Kathryn H. Vratil
KATHRYN H. VRATIL
United States District Judge