

TERMINATION NO: 10
 BY: MK
FINAL APPEALABLE ORDER

IN THE COURT OF COMMON PLEAS, FRANKLIN COUNTY, OHIO
 CIVIL DIVISION

State of Ohio, ex rel. Attorney General of :
 Ohio Richard Cordray, :
 :
 Plaintiff, :
 :
 v. :
 :
 Inland Products, Inc., :
 :
 Defendant. :

Case No. 07CVH-08-1089
 Judge John F. Bender

FILED
 COMMON PLEAS COURT
 FRANKLIN CO. OHIO
 2010 OCT 22 AM 8:46
 CLERK OF COURTS

DECISION AND ENTRY
OVERRULING OBJECTIONS OF PLAINTIFF AND DEFENDANT
AND
ADOPTING MAGISTRATE'S DECISION
Filed June 28, 2010

BENDER, J.

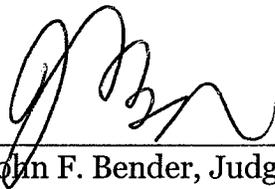
On June 28, 2010, a magistrate issued a decision enjoining defendant from violating Chapter 6111 of the Ohio Revised Code and imposing a civil penalty of \$100,000 plus the costs of this action. Plaintiff and defendant filed objections to the magistrate's decision; each party responded to the other's objection. The magistrate's decision and objections are now before the court for determination.

Objections to findings of fact must be supported by a transcript of all the evidence submitted to the magistrate relevant to that finding, or an affidavit of that evidence if a transcript is not available. Civ.R. 53(D)(3)(b)(iii). Without a transcript or affidavit, "the trial court must accept the magistrate's factual findings and limit its review to the magistrate's legal conclusions." *Law Offices of James P. Connors v. Cohn*, 10th Dist. No. 08AP-1031, 2009-Ohio-3228, ¶ 23.

Defendant sought and was granted an extension of time, until August 25, 2010, to file a transcript. That date passed nearly two months ago; defendant has neither filed a transcript or affidavit, nor sought additional time to do so. Therefore, the magistrate's factual findings are adopted in their entirety.

Following an independent review of the record, and after considering plaintiff's and defendant's objections, the court finds no errors of law in the decision. Therefore, plaintiff's and defendant's objections to the magistrate's decision are overruled. The court hereby adopts the magistrate's conclusions of law and decision as its own, as if fully rewritten herein. Civ.53(D)(4)(b).

SO ORDERED.



John F. Bender, Judge

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