

**IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF ILLINOIS
WESTERN DIVISION**

Valorie R. McCann,)	
Plaintiff,)	Case No: 11 CV 50125
v.)	
)	
Ogle County et al)	Magistrate Judge: Iain D. Johnston
Defendants.)	
)	

ORDER, REPORT AND RECOMMENDATION

Before the Court is (1) a joint motion by the plaintiff and defendant Health Professionals, Ltd. for a good faith finding and dismissal [343], (2) a motion for leave to file those parties' confidential settlement agreement under seal [342], and (3) a motion for a protective order governing the other parties' use of the confidential settlement agreement [344]. The motion for leave to file under seal [342] and for a protective order [344] are agreed and granted. The settling parties shall file a copy of the confidential settlement agreement and addendum under seal by 1/12/2017. The protective order shall issue separately. As for the motion for a good faith finding and dismissal [343], the Court has reviewed the confidential settlement agreement and addendum (in which the parties express their intent that the agreement and dismissal include defendant Stephen A. Cullinan) submitted in camera. The Court finds the settlement amount to be within a reasonable range, that there was no close relationship between the settling parties, and there was no effort to conceal the circumstances of the settlement agreement. Under the totality of the circumstances as viewed through factors such as those set out in *Wreglesworth v. Arctco, Inc.*, 740 N.E.2d 444, 449 (Ill. App. Ct. 2000), the Court finds that the settlement agreement was made in good faith. In addition, the Court solicited the position of the remaining defendants, Dkt. 346, none of whom object, Dkt. 347. Accordingly, it is this Court's Report and Recommendation that the district court grant the motion for a good faith finding [343] and dismiss defendants Health Professionals, Ltd. and Stephen A. Cullinan. Any objection to the Report and Recommendation is due by 1/25/2017. Failure to object may constitute a waiver of objections on appeal. See *Provident Bank v. Manor Steel Corp.*, 882 F.2d 258, 260 (7th Cir. 1989). The presentment hearing of the motions set for 1/12/2017 is stricken.

Date: January 11, 2017

/s/ Iain D. Johnston
U.S. Magistrate Judge