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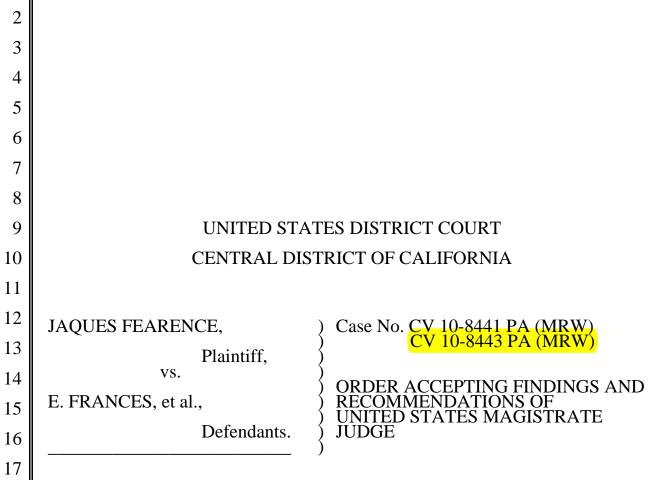
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Pursuant to 28 U.S.C. § 636, the Court has reviewed the Complaint, the records on file, and the Report and Recommendation of the United States Magistrate Judge. Further, the Court has engaged in a de novo review of those portions of the Report to which Plaintiff has objected. The Court accepts the findings and recommendation of the Magistrate Judge.

IT IS ORDERED that Judgment be entered granting Defendant Frances's motion for summary judgment and denying Defendant Bringas's motion for summary judgment.

DATE: December 13, 2012

HON. PERCY ANDERSON UNITED STATES DISTRICT JUDGE