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Accordingly, IT IS HEREBY ORDERED that:

1. The Findings and Recommendations dated February 18, 2016, (ECF No. 226), are ADOPTED IN FULL;

2. Plaintiff's motion for summary judgment, (ECF No. 176), and motion for an order granting summary judgment, (ECF No. 214), are DENIED; and

3. This matter shall proceed to a jury trial on Plaintiff's claims against Defendant Romero for deliberate indifference to serious medical needs in violation of the Eighth Amendment, and against Defendants Gallagher and Romero for conspiracy, retaliation in violation of the First Amendment, and failure to protect in violation of the Eighth Amendment.

IT IS SO ORDERED.

Dated: March 21, 2016

/s/ Lawrence J. O'Neill  
UNITED STATES DISTRICT JUDGE