

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
EASTERN DIVISION

ADRIAN GHIOROAIE-PANAIT,            )  
  )  
                  Plaintiff,                    )  
  )  
                  v.                            ) CASE NO. 3:17-CV-698-WKW  
  )  
HENRY ROLLE, *et al.*,                    )  
  )  
                  Defendants.                 )

**ORDER**

On February 13, 2018, the Magistrate Judge filed a Recommendation to which no timely objections have been filed. (Doc. # 35.) Upon an independent review of the record and upon consideration of the Recommendation, it is ORDERED that the Recommendation (Doc. # 35) is ADOPTED. Accordingly, it is ORDERED as follows:

1. The motion to dismiss (Doc. # 10) filed by Defendant Board of Trustees of Auburn University is DENIED as moot.
2. The reply brief filed by Defendant Auburn University (Doc. # 27) is CONSTRUED as a motion to dismiss the complaint on the same grounds presented in the motion to dismiss (Doc. # 10) filed by Defendant Board of Trustees of Auburn University.

3. Defendant Auburn University's motion to dismiss (Doc. # 27) is GRANTED as to Plaintiff Adrian Ghioroiaie-Panait's Title VII color discrimination claim and DENIED in all other respects.

4. Plaintiff Ghioroiaie-Panait's Title VII color discrimination claim against Defendant Auburn University (Count IV of the amended complaint (Doc. # 21)) is DISMISSED with prejudice.

5. This action is REFERRED back to the Magistrate Judge for further proceedings.

DONE this 9th day of April, 2018.

/s/ W. Keith Watkins  
CHIEF UNITED STATES DISTRICT JUDGE