

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

ANTONIO T. MCCORD,
Plaintiff,

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v.

CIVIL ACTION 16-00619-KD-C

STANDARD FURNITURE, INC.,
Defendant.

ORDER

After due and proper consideration of the issues raised, and there having been no objections filed, the Report and Recommendation of the Magistrate Judge made under 28 U.S.C. § 636(b)(1)(B) and dated March 22, 2017, is **ADOPTED** as the opinion of this Court.

Accordingly, it is **ORDERED** that Defendant Standard Furniture, Inc.’s motion to dismiss (Doc. 15) is: **GRANTED IN PART** as to Count II, Plaintiff’s ADA claim, asserted in his Amended Complaint (Doc. 25-2), which is **DISMISSED WITH PREJUDICE**; and **DENIED IN PART** as to the remainder of the motion.

It is further **ORDERED** that Plaintiff’s motion to amend the complaint (Doc. 25) is: **GRANTED IN PART** as to Counts I and III; and **DENIED IN PART** as to Count II.

DONE and **ORDERED** this the 7th day of April 2017.

/s/ Kristi K. DuBose
KRISTI K. DuBOSE
CHIEF UNITED STATES DISTRICT JUDGE