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**IT IS ORDERED** that Defendant Tate’s Motion for Summary Judgment (Doc. 51) is **granted** on the merits.

**IT IS FURTHER ORDERED** that the Clerk enter judgment in favor of Defendant Tate and against Plaintiff and that Plaintiff take nothing. The claims against all other Defendants having been disposed of, the Clerk shall terminate this action.

DATED this 19<sup>th</sup> day of November, 2010.

  
\_\_\_\_\_  
Neil V. Wake  
United States District Judge