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Accordingly, IT IS HEREBY ORDERED that:

1. Plaintiff's motion for leave to amend is GRANTED;
2. Plaintiff's official capacity claim against Defendant Jeffrey Beard for injunctive relief is reinstated; and
3. Plaintiff's first amended complaint, lodged on July 24, 2015 (ECF No. 72) is STRICKEN from the record.

IT IS SO ORDERED.

Dated: December 3, 2015



SENIOR DISTRICT JUDGE