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Accordingly, IT IS HEREBY ORDERED that:

1. The findings and recommendations filed June 7, 2018 (ECF No. 59), are adopted in full;
2. Plaintiff's motion for summary judgment (ECF No. 33) is denied without prejudice; and
3. This case remains open and is referred back to the Magistrate Judge for further proceedings.

IT IS SO ORDERED.

Dated: September 11, 2018



SENIOR DISTRICT JUDGE