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Accordingly, IT IS HEREBY ORDERED that:

1. The findings and recommendations filed January 9, 2014, ECF No. 154, are ADOPTED IN FULL; and
2. Plaintiff's September 23, 2013 motion for summary judgment, ECF No. 146, is DENIED.

IT IS SO ORDERED.

Dated: March 3, 2014


MORRISON C. ENGLAND, JR., CHIEF JUDGE
UNITED STATES DISTRICT COURT