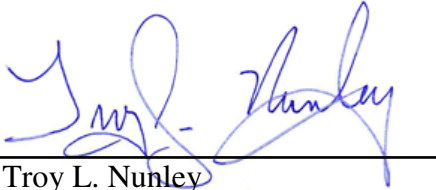


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Accordingly, IT IS HEREBY ORDERED that:

1. The Findings and Recommendations filed February 10, 2022 (ECF No. 256), are adopted in full;
2. The Cross-Motions for Summary Judgment (ECF No. 222, 224) are GRANTED in part and DENIED in part, as follows:
 - A. Defendant Johnson’s Motion for Summary Judgment (ECF No. 224) on the issue of exhaustion of administrative remedies is GRANTED as to the August 5, 2008 screened out appeal, but DENIED as to appeal log no. 07-02453;
 - B. Plaintiff’s Motion for Partial Summary Judgment as to Defendant Johnson (ECF No. 222) is DENIED; and
 - C. Defendant Johnson’s Motion for Summary Judgment and/or Partial Summary Adjudication (ECF No. 224) on the merits is DENIED, and his Motion for Qualified Immunity is DENIED without prejudice to renewal at trial.

DATED: March 29, 2022



Troy L. Nunley
United States District Judge