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Accordingly, IT IS HEREBY ORDERED that:

1. The findings and recommendations filed July 19, 2016, (ECF No. 83) are ADOPTED in full;
2. Defendant's motion for summary judgment (ECF No. 75) is DENIED; and
3. This matter is remanded to the assigned magistrate judge for further scheduling.

IT IS SO ORDERED.

Dated: September 20, 2016


MORRISON C. ENGLAND, JR.
UNITED STATES DISTRICT JUDGE