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Accordingly, IT IS HEREBY ORDERED that:

1. The findings and recommendations filed February 23, 2017 are ADOPTED IN FULL;
2. Defendant's motion for summary judgment (ECF No. 49) is DENIED; and
3. Summary judgment on the issue of exhaustion is entered for Plaintiff.

IT IS SO ORDERED.

Dated: March 22, 2017


MORRISON C. ENGLAND, JR.
UNITED STATES DISTRICT JUDGE