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Accordingly, IT IS HEREBY ORDERED that:

1. The findings and recommendations filed September 10, 2020, are adopted in full; and
2. Defendant's motion for judgment on the pleadings, ECF No. 154, is denied.

DATED: December 7, 2020

/s/ John A. Mendez

THE HONORABLE JOHN A. MENDEZ
UNITED STATES DISTRICT COURT JUDGE