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Accordingly, IT IS HEREBY ORDERED that:

1. The findings and recommendations filed July 19, 2021, are adopted in full;
2. Defendant's motion for summary judgment, ECF No. 28, is granted; and
3. The Clerk of the Court is directed to enter judgment and close this file.

Dated: September 23, 2021

/s/ John A. Mendez

THE HONORABLE JOHN A. MENDEZ
UNITED STATES DISTRICT COURT JUDGE