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Accordingly, IT IS HEREBY ORDERED that:

1. The findings and recommendations filed October 4, 2018, (ECF No. 6) are ADOPTED in full;
2. The claim identified as “claim 2” in plaintiff’s complaint is DISMISSED; and
3. This action shall proceed on Plaintiff’s remaining claims.

IT IS SO ORDERED.

Dated: January 2, 2019


MORRISON C. ENGLAND, JR.
UNITED STATES DISTRICT JUDGE