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Accordingly, IT IS HEREBY ORDERED that:

1. The findings and recommendations filed September 20, 2019, are adopted in full;
2. Defendant's motion to dismiss (ECF No. 13) is GRANTED;
3. The action is DISMISSED without leave to amend for lack of subject matter jurisdiction; and
4. The clerk of court close this case.

DATED: March 19, 2020.



CHIEF UNITED STATES DISTRICT JUDGE