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Accordingly, IT IS HEREBY ORDERED that:

1. The findings and recommendations filed October 23, 2023, are adopted in full;
2. Defendant’s motion for terminating sanctions (ECF No. 41) is granted;
3. This action is dismissed with prejudice; and
4. The Clerk of Court is directed to close this case.

DATED: December 28, 2023.



CHIEF UNITED STATES DISTRICT JUDGE