

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

JOHN L. SEARS

CIVIL ACTION

VERSUS

No. 16-2935

MARLIN GUSMAN ET AL.

SECTION I

ORDER

The Court, having considered the motion¹ to dismiss filed by defendants Dr. Scott Kennedy and Pammalier Walker, NP, the record, the applicable law, the Magistrate Judge's Report and Recommendation,² and the failure of defendants to file any objections to the Magistrate Judge's Report and Recommendation that their motion be denied, hereby approves the Magistrate Judge's Report and Recommendation and adopts it as its opinion herein. While the Court expresses no opinion as to whether a properly filed motion for summary judgment may be meritorious,

IT IS ORDERED that Dr. Scott Kennedy and Pammalier Walker's motion to dismiss is **DENIED**.

New Orleans, Louisiana, September 16, 2016.



LANCE M. AFRICK
UNITED STATES DISTRICT JUDGE

¹ R. Doc. No. 16.

² R. Doc. No. 20.