UNITED STATES DISTRICT COURT

MIDDLE DISTRICT OF LOUISIANA

TRACY WARD, through her next friend, Stellar Jackson — CIVIL ACTION

VERSUS

OUR LADY OF THE LAKE HOSPITAL, INC. — NO.: 18-CV-00454-BAJ-RLB

RULING AND ORDER

Before the Court is the United States Magistrate Judge's **Report and Recommendation (Doc. 26)** pursuant to 28 U.S.C. § 636(b)(1). The Report and Recommendation addresses Defendant's **Motion to Strike (Doc. 10).** Tracy Ward, through her next friend, Stellar Jackson ("Plaintiff") alleges that Our Lady of the Lake Hospital, Inc. ("Defendant") denied her of "necessary interpretation and communication services, and thereby denied effective communication" on two separate occasions. At issue in Defendant's Motion to Strike are Plaintiff's allegations in Paragraph Two of the Complaint:

> Defendant, OUR LADY OF THE LAKE HOSPITAL, INC., has explicit notice of its need to accommodate persons with disabilities. To the extent Defendant was unaware of its obligation to accommodate, other plaintiffs have filed suit against the Defendant on November 23, 2016; June 21, 2017; August 2, 2017; and August 9, 2017, regarding allegations of deaf-related discrimination by the Defendant in the United States District Court of the Middle District of Louisiana. *See Labouliere v. Our Lady of the Lake Hospital, Inc.*, et. al., Case: 3:16-cv-00785-JJB-EWD; *Francois v. Our Lady of the Lake Hospital, Inc.*, Case 3:17-cv-00393-SDD-EWD; *Lockwood v. Our Lady of the Lake Hospital, Inc.*, Case 3:17-cv-00509-JJB-EWD; and *King v. Our Lady of the Lake Hospital, Inc.*, Case 3:17-cv-00530-JJB-RLB.

(Doc. 1 at ¶ 2). The Magistrate Judge recommended that Paragraph Two of Plaintiff's Complaint be stricken. (Doc. 26 at p. 3).

The Report and Recommendation notified the parties that, pursuant to 28 U.S.C. § 636(b)(1), they had fourteen (14) days from the date they received the Report and Recommendation to file written objections to the proposed findings of fact, conclusions of law, and recommendations therein. (Doc. 26 at p. 1). Neither party objected. Having carefully considered the underlying Complaint, the instant motions, and related filings, the Court approves the Magistrate Judge's Report and Recommendation, and hereby adopts its findings of fact, conclusions of law, and recommendation.

Accordingly,

IT IS ORDERED that the **Magistrate Judge's Report and Recommendation (Doc. 26)** is **ADOPTED** as the Court's opinion herein.

IT IS FURTHER ORDERED that Paragraph Two of Plaintiff's Complaint is **STRICKEN**.

Baton Rouge, Louisiana, this 9th day of January, 2019.

JUDGE BRIAN A. JACKSON
UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA