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TONY R. MOORE, CLERK
WESTERN DISTRICT OF LOUISIANA
LAFAYETTE, LOUISIANA

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAFAYETTE DIVISION

ANNETTE NABORS, surviving
spouse of KENNETH NABORS,
deceased

CIVIL ACTION NO. 6:12-cv-00827

VERSUS

JUDGE DOHERTY

METROPOLITAN LIFE INSURANCE
COMPANY

MAGISTRATE JUDGE HANNA

JUDGMENT

This matter was referred to United States Magistrate Judge Patrick J. Hanna for report and recommendation. After an independent review of the record, and noting the absence of any objections, this Court concludes that the Magistrate Judge's report and recommendation is correct and adopts the findings and conclusions therein as its own.

Accordingly, **IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED** that defendant Metropolitan Life Insurance Company's motion to dismiss (Rec. Doc. 6) is DENIED AS MOOT with regard to the plaintiff's claim under the Americans with Disabilities Act, 42 U.S.C. § 12101 *et seq.* and is GRANTED with regard to the plaintiff's state-law claim, consistent with the report and recommendation.

Lafayette, Louisiana, this 25 day of June, 2012.

Rebecca F. Doherty
United States District Judge