

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

CORY WOOLLARD,

Plaintiff,

Case No. 18-cv-11529

v.

Paul D. Borman  
United States District Judge

Anthony P. Patti  
United States Magistrate Judge

CORIZON HEALTH, INC.,  
RICHARD HARBAUGH, R.  
COLEMAN, SUBRINA AIKENS,  
MARY GRENIER, ROSILYN JINDAL  
JANET CAMPBELL, *et. al*,

Defendants.

\_\_\_\_\_/

**ORDER: (1) ADOPTING MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION (ECF #50); (2) DEEMING MOOT DEFENDANT CORIZON HEALTH INC.'S MOTION TO DISMISS THE FIRST AMENDED COMPLAINT (ECF #29); (3) DENYING AS MOOT DEFENDANTS JANET CAMPBELL AND RICHARD HARBAUGH'S MOTION FOR SUMMARY JUDGMENT (ECF #30); and GRANTING IN PART AND DENYING IN PART PLAINTIFF'S MOTION TO FILE A SECOND AMENDED COMPLAINT (ECF #44)**

Now before the Court is the April 15, 2019 Report and Recommendation (ECF #50) of Magistrate Judge Anthony P. Patti recommending that the Court: (1) deem moot Defendant Corizon Health, Inc.'s ("Corizon") September 25, 2018

motion to Dismiss the First Amended Complaint (ECF #29); (2) deny as moot Defendants Janet Campbell and Richard Harbaugh's October 1, 2018 Motion for Summary Judgment (ECF #30); and (3) grant Plaintiff's Motion to File a Second Amended Complaint (ECF #44) as to the proposed claims against Corizon, Jindal, the Unknown RMD/CMO, and/or AMCO Rickey Coleman but deny the Motion as to the proposed claims against Defendants Sherman Campbell, Evers, Thomas and Skelton. No objections were filed to the Report and Recommendation.

Having reviewed the Report and Recommendation and there being no timely objections under 28 U.S.C. § 636(b)(1) and E.D. Mich. L.R. 72.1(b), the Court ADOPTS the Magistrate Judge's Report and Recommendation (ECF #50), and (1) DEEMS MOOT Corizon's September 25, 2018 Motion to Dismiss the First Amended Complaint (ECF #29); (2) DENIES AS MOOT Defendants Janet Campbell and Richard Harbaugh's October 1, 2018 Motion for Summary Judgment (ECF #30); and (3) GRANTS IN PART and DENIES IN PART Plaintiff's Motion to File a Second Amended Complaint (ECF #44).

As explained in Magistrate Judge Patti's Report and Recommendation (ECF #50), Plaintiff may proceed with his claims as alleged in the proposed Second Amended Complaint (ECF #44-1) against Corizon, Rosilyn Jindal, the Unknown RMD/CMO, and/or AMCO Rickey Coleman (proposed Counts I, II, III, and IV). Plaintiff may not pursue his claims as alleged in the proposed Second Amended

Complaint against Defendants Sherman Campbell, Evers, Thomas, and Skelton (proposed Counts V-XX). Plaintiff must file a Second Amended Complaint that conforms to this Order and any other order issued in this case no later than 28 days following the entry of this Order.

IT IS SO ORDERED.



---

Paul D. Borman  
United States District Judge

Dated: 6-12-19