

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

CARL HATCHNER,

Plaintiff,

v.

CASE NO. 1:09-cv-397

SECRETARY OF HEALTH &  
HUMAN SERVICES, et al.,

HON. ROBERT HOLMES BELL

Defendants.

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**ORDER**

This matter is before the Court on motions to dismiss for lack of subject matter jurisdiction filed by Defendant Secretary of Health and Human Services (Dkt. No. 18) and Defendant Blue Cross/Blue Shield of Michigan (Dkt. No. 22). On February 24, 2010, Magistrate Judge Joseph G. Scoville issued a report and recommendation (R&R) recommending that the Court grant these motions. (Dkt. No. 27.) No objections to the R&R have been filed. The Court has reviewed the R&R and believes the Magistrate Judge's analysis and conclusions to be sound. Accordingly,

**IT IS HEREBY ORDERED** that the report and recommendation (Dkt. No. 27) is **APPROVED** and **ADOPTED** as the opinion of the Court.

**IT IS FURTHER ORDERED** that the motion to dismiss for lack of subject matter jurisdiction filed by Defendant Secretary of Health and Human Services (Dkt. No. 18) is

**GRANTED.**

**IT IS FURTHER ORDERED** that the motion to dismiss for lack of subject matter jurisdiction filed by Defendant Blue Cross/Blue Shield of Michigan (Dkt. No. 22) is

**GRANTED.**

DATED: March 12, 2010

/s/ Robert Holmes Bell  
ROBERT HOLMES BELL  
UNITED STATES DISTRICT JUDGE