

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Russell John Hatton,

Plaintiff,

v.

Case No. 14-cv-3405 (JNE/DJF)
ORDER

Lucinda Jesson, Nancy Johnston, Dennis Benson, Kevin Moser, Scott Benoit, Terry Kneisel, Troy Basaraba, Gene Anderson, Ann Zimmerman, Steve Sayovitz, Juliana Beavens, Kevin Carlson, Ken Stewart, Rob Rose, Brian S. Ninneman, Sue Johnson, Sara Kulas, Jannine Hebert, Peter Puffer, Janel Lindgren, Yvette Anderson, Thane Murphy, Allison Collins, Angie Ottum, Laurie Severson, Kent Johanson, Gemma Watson, Nicki Marvel, Troy Swartout, Brandon Tatum, and Darien Menten, in their individual and official capacities,

Defendants.¹

In a Report and Recommendation dated November 27, 2023, the Honorable Dulce J. Foster, United States Magistrate Judge, recommended that the claims against five defendants, in their individual capacities, be dismissed without prejudice and that the claims otherwise be dismissed with prejudice. No objection to the Report and Recommendation has been made. The Court accepts the recommended disposition [Docket No. 69]. Therefore, IT IS ORDERED THAT:

1. Defendants' Motion to Dismiss [Docket No. 62] is GRANTED.
2. All claims against Defendants Lucinda Jesson, Nancy Johnston, Dennis Benson, Kevin Moser, Scott Benoit, Terry Kneisel, Ann Linkert (formerly

¹ Defendants are listed as they appear in the Amended Complaint.

Ann Zimmerman), Steve Sayovitz, Julianna Beavens, Kevin Carlson, Ken Stewart, Rob Rose, Brian S. Ninneman, Sue Johnson, Sara Kulas, Jannine Hébert, Peter Puffer, Janel Lindgren, Thane Murphy, Allison Collins, Laurie Severson, Kent Johanson, Gemma Watson, Nicole Kielty (formerly Nicole (Nicki) Marvel), Troy Swartout, and Darien Menten, in their individual and official capacities, are DISMISSED WITH PREJUDICE.

3. All claims against Defendants Yvette Anderson, Angie Ottum, Gene Anderson, Brandon Tatum, and Troy Basaraba, in their official capacities, are DISMISSED WITH PREJUDICE.
4. All claims against Defendants Yvette Anderson, Angie Ottum, Gene Anderson, Brandon Tatum, and Troy Basaraba, in their individual capacities, are DISMISSED WITHOUT PREJUDICE.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: December 28, 2023

s/Joan N. Ericksen
JOAN N. ERICKSEN
United States District Judge