

**FILED**

FEB 06 2014

Clerk, U.S. District Court  
District Of Montana  
Helena

**IN THE UNITED STATES DISTRICT COURT**

**FOR THE DISTRICT OF MONTANA**

**BILLINGS DIVISION**

MARK J. KELLEY,

Plaintiff,

vs.

BILLINGS CLINIC,

Defendant.

CV 12-74-BLG-SEH

**ORDER**

On January 21, 2014, United States Magistrate Judge Carolyn S. Ostby entered her Findings and Recommendations<sup>1</sup> on Defendant's Motion for Summary Judgment.<sup>2</sup> Defendant filed objections on February 4, 2014.<sup>3</sup> The Court reviews

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<sup>1</sup> Doc. 76.

<sup>2</sup> Doc. 63.

<sup>3</sup> Doc. 78.

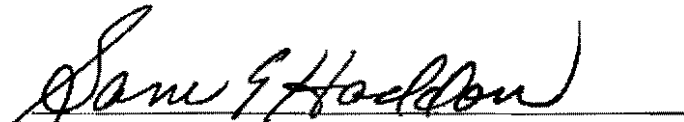
*de novo* findings and recommendations to which objections are made. 28 U.S.C. § 636(b)(1).

Upon *de novo* review of the record, I find no error in Judge Ostby's Findings and Recommendations and adopt them in full.

ORDERED:

1. Defendant's Motion for Summary Judgment (Doc. 63) is GRANTED, in part, and DENIED, as set forth in Judge Ostby's Findings and Recommendations.

DATED this 6<sup>th</sup> day of February, 2014.

  
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SAM E. HADDON  
United States District Judge