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ADOPTS AND ACCEPTS the Report and Recommendation of the United States Magistrate Judge (#37); therefore, Plaintiff's Motion for Temporary Restraining Order, or in the Alternative, Motion for Preliminary Injunction (#5) is DENIED.

IT IS SO ORDERED.

DATED this $\underline{14}^{th}$ day of August, 2012.

ROBERT C. JONES UNITED STATES DISTRICT JUDGE

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