



It is on this 7th day of February, 2012,

**ORDERED** that the Court approves and adopts the January 4, 2012 Report and Recommendation of the Honorable Douglas E. Arpert, U.S.M.J.; and it is further

**ORDERED** that Defendants' motion to dismiss (Docket Entry No. 17) is **GRANTED**, and Plaintiff's Complaint is dismissed **without prejudice**; and it is further

**ORDERED** that this case is **CLOSED**.

/s/ Freda L. Wolfson  
Freda L. Wolfson, U.S.D.J.