

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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JOHN L. EDWARDS,

Plaintiff,

- against -

ORDER

11-CV-5348(RRM) (LB)

ELMHURST HOSPITAL CENTER,

Defendant.

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JOHN L. EDWARDS,

Plaintiff,

- against -

ORDER

11-CV-5349(RRM) (LB)

ELMHURST HOSPITAL CENTER,

Defendant.

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ROSLYNN R. MAUSKOPF, United States District Judge.

Plaintiff John L. Edwards brought these *pro se* actions¹ against defendant Elmhurst Hospital Center on October 27, 2011, pursuant to Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e, *et seq.*; the Age Discrimination in Employment Act, 29 U.S.C. § 621, *et seq.* (“ADEA”); and the Americans with Disabilities Act of 1990, 42 U.S.C. § 12101, *et seq.* (“ADA”). Plaintiff claims that defendant discriminated against him on the basis of his race, color, age, and disability by failing to promote him and failing to accommodate his disability; and retaliated against him by refusing to compensate him for work he performed. Defendant moved to dismiss the complaints pursuant to Fed. R. Civ. P. 12(b)(6) on May 21, 2012. (Doc. No. 12.) By Order entered May 24, 2012, this Court referred defendant’s motion to the assigned Magistrate Judge, the Honorable Lois Bloom, for a Report and Recommendation. On February 4, 2013, Judge Bloom issued a Report and

¹ The actions have been consolidated for purposes of filing one motion to dismiss both complaints. (See Order of March 7, 2012.)

Recommendation (the “R&R”) recommending that defendant’s motion be granted. On February 20, 2013, plaintiff filed timely objections to the R&R. On February 27, 2013, defendant filed a reply in support of the R&R. (Doc. No. 24.)

Plaintiff does not object to specific portions of the R&R, but instead objects generally that he provided sufficient facts to survive the motion to dismiss, and restates the circumstances surrounding his alleged discrimination. (Pl.’s Objection (Doc. No. 23 in No. 11-cv-5349).) Out of an abundance of caution given plaintiff’s *pro se* status, and reading his objections in the strongest light possible for plaintiff, the Court has reviewed Judge Bloom’s thorough and well-reasoned R&R, the factual and procedural record upon which it is based, and plaintiff’s objections. *See Pizarro v. Bartlett*, 776 F. Supp. 815, 817 (S.D.N.Y. 1991) (a court is required to conduct a *de novo* review of the contested sections of an R&R). Having done so, the Court concurs with the R&R, and adopts the R&R in its entirety.

Accordingly, the Clerk of Court is respectfully directed to dismiss plaintiff’s amended complaints in case numbers 11-cv-5348 and 11-cv-5349 with prejudice, enter judgment accordingly, and close those cases. The Clerk of Court is further directed to mail a copy of this Order, and the accompanying Judgment, to plaintiff.

SO ORDERED.

Dated: Brooklyn, New York
March 6, 2013

Roslyn R. Mauskopf

ROSLYNN R. MAUSKOPF
United States District Judge