

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORKUSDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
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DATE FILED: 11/21/17

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NEGDA RIVERA, :  
Plaintiff, :  
: 16 Civ. 8874 (LGS)  
-against- :  
: **ORDER**  
NANCY BERRYHILL, :  
Defendant. :  
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LORNA G. SCHOFIELD, District Judge:

WHEREAS, on October 31, 2017, Magistrate Judge Netburn issued a Report and Recommendation to deny Plaintiff's motion for summary judgment and grant Defendant's cross-motion for judgment on the pleadings;

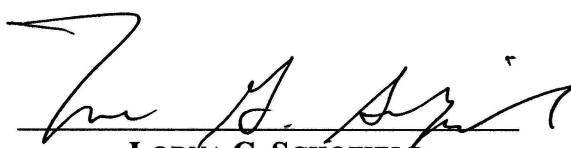
WHEREAS, no timely objection was filed;

WHEREAS, the Report and Recommendation is not "clearly erroneous or contrary to law." *See* Fed. R. Civ. P. 72(a). It is hereby

**ORDERED** that the Report and Recommendation is adopted. For the reasons stated in the Report and Recommendation, Plaintiff's motion for summary judgment is DENIED, and Defendant's cross-motion for judgment on the pleadings is GRANTED.

The Clerk of Court is respectfully directed to close the case and all pending motions.

Dated: November 21, 2017  
New York, New York



LORNA G. SCHOFIELD  
UNITED STATES DISTRICT JUDGE