

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

JOHN J. RILEY

Plaintiff,

v.

CIVIL NO. 05-5731

JO ANNE B. BARNHART

Defendant.

**ORDER**

AND NOW, this 25<sup>th</sup> day of March, 2010, upon consideration of: Plaintiff's Motion for Summary Judgment and Statement of Issues in Support of Request for Review (Doc. No. 7); Defendant's Brief in Opposition to Plaintiff's Motion and in Support of Defendant's Motion for Summary Judgment (Doc. No. 8); United States Magistrate Judge Arnold C. Rapoport's Report and Recommendation that Plaintiff's Motion for Summary Judgment should be denied and Defendant's Motion for Summary Judgment should be granted (Doc. No. 10); Plaintiff's Objections to the Report and Recommendation of Magistrate Judge Rapoport (Doc. No. 11); and, Defendant's Response to Plaintiff's Objections (Doc. No. 17), it is hereby ORDERED and DECREED that:

- (1) Plaintiff's Objections to the Magistrate Judge's Report and Recommendation are OVERRULED;
- (2) Magistrate Judge Arnold C. Rapoport's Report and Recommendation is APPROVED AND ADOPTED;
- (3) Plaintiff's Request for Review is DENIED; and,
- (4) Judgment shall be ENTERED in favor of Defendant.

BY THE COURT:

  
C. Darnell Jones II