

(6) We have reviewed the Report and Recommendation of the Magistrate Judge and agree with his recommendation;

ACCORDINGLY, IT IS HEREBY ORDERED THAT:

(1) The Report and Recommendation of Magistrate Judge Joseph F. Saporito, Jr. dated August 31, 2015 (Doc. 213) is **ADOPTED**;

(2) The Motion to Dismiss of Defendant Gemberling (Doc. 144) is **GRANTED**;

(3) The Plaintiff's Motion for Leave to Amend His Complaint (Doc. 214) is **GRANTED**;

(4) The Plaintiff's Verified Amended Complaint (Doc. 215) is **ACCEPTED**; and,

(5) The above-captioned action is **REMANDED** to the Magistrate Judge for further proceedings.

s/Edwin M. Kosik
Edwin M. Kosik
United States District Judge