

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

KEITH MAYDAK, )  
Plaintiff )

vs. )

COUNTY OF ALLEGHENY, )  
PENNSYLVANIA; INC.; RAMON )  
RUSTIN; CALVIN LIGHTFOOT; FRED )  
ROSEMEYER; DAN ONORATO, )  
Defendants )

) Civil Action No. 07-1329  
) Judge Gary L. Lancaster/  
) Magistrate Judge Amy Reynolds Hay

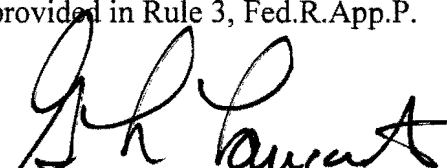
**ORDER**

AND NOW, this 3<sup>rd</sup> day of Dec, 2008, after the Plaintiff, Keith

Maydak, filed an action in the above-captioned case, and after a Motion to Dismiss was filed by the Defendants, and after a Report and Recommendation was filed by the United States Magistrate Judge giving the plaintiff until November 20, 2008 to file written objections thereto, and no objections having been filed to the report and recommendation, and upon independent review of the motion and the record, and upon consideration of the Magistrate Judge's Report and Recommendation, which is adopted as the opinion of this Court,

IT IS HEREBY ORDERED that defendants' motion to dismiss [Dkt. 8] is denied.

IT IS FURTHER ORDERED that, pursuant to Rule 4(a)(1) of the Federal Rules of Appellate Procedure, if the parties desire to appeal from this Order they must do so within thirty (30) days by filing a notice of appeal as provided in Rule 3, Fed.R.App.P.

  
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GARY L. LANCASTER  
United States District Judge

cc: Honorable Amy Reynolds Hay  
United States Magistrate Judge

Keith Maydak  
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