


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

CHRISTINE RYLISKIS,)	
)	Civil Action No. 2:11-cv-01517
Plaintiff,)	Judge Arthur J. Schwab/
)	Magistrate Judge Cynthia Reed Eddy
v.)	
)	[ECF Nos. 3, 13]
UNIONTOWN AREA HOSPITAL,)	
)	
Defendant.)	

ORDER

AND NOW, this 17th day of September, 2012, a Complaint having been filed in this Court, [ECF No. 1], and Defendants having filed a Motion to Dismiss II and III of the Complaint for Failure to State a Claim [ECF No. 3], the Court, on August 30, 2012, filed a Report and Recommendation [ECF No. 13] recommending that the Motion be granted without prejudice as to Count II and with prejudice as to Count III. Objections were due September 13, 2012. Counsel for Plaintiff represented to the Court at a September 10, 2012 case management conference that he did not plan to file objections. No objections were filed.

Upon independent review of the record, including the Magistrate Judge's Report and Recommendation [ECF No. 13], which is adopted as the opinion of this Court, IT IS HEREBY ORDERED that the Defendants' Motion to Dismiss [ECF No. 3] be granted without prejudice as to Count II of the Complaint, and with prejudice as to Count III.



 Arthur J. Schwab
 United States District Judge

cc: All attorneys of record via CM-ECF