

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

GARY HALAKA,	)	
	)	Civil Action No. 2:12-CV-1506
Plaintiff,	)	
	)	Judge Arthur J. Schwab
v.	)	Chief Magistrate Judge Lisa Pupo Lenihan
	)	
DR. MIN PARK, <i>et al</i> ,	)	
	)	
Defendants.	)	

**MEMORANDUM ORDER**

The Complaint (ECF No. 4) in the above captioned case was received by the Clerk of Court on October 18, 2012, and was referred to United States Magistrate Judge Lisa Pupo Lenihan for pretrial proceedings in accordance with the Magistrate Judges Act, 28 U.S.C. §636(b)(1), and Local Rules of Court 72.C and 72.D.

The Magistrate Judge's Report and Recommendation (ECF No. 27), filed on June 13, 2013, recommended that the Motion to Dismiss (ECF No. 15) filed by Defendant Bilohlavek be denied. Service was made on all counsel of record. The parties were informed that in accordance with the Magistrate Judges Act, 28 U.S.C. § 636(b)(1)(B) and (C), and Rule 72.D.2 of the Local Rules of Court, that they had fourteen (14) days to file any objections. No objections to the report and recommendation have been filed.

After review of the pleadings and documents in the case, together with the Report and Recommendation, the following Order is entered:

**AND NOW**, this 3<sup>rd</sup> day of July, 2013,

**IT IS HEREBY ORDERED** that the Motion to Dismiss (ECF No. 15) filed by Defendant Bilohlavek is **DENIED**.

**IT IS FURTHER ORDERED** that the Report and Recommendation (ECF No. 27) of Chief Magistrate Judge Lenihan dated June 13, 2013, is adopted as the opinion of the Court.



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Judge Arthur J. Schwab  
United States District Judge

cc: All Counsel of Record  
*Via Electronic Mail*