

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION

JOSEPH P. BERTRAND	)	
	)	
v.	)	NO. 3:08-1123
	)	JUDGE CAMPBELL
YELLOW TRANSPORTATION, INC.,	)	
et al.	)	


ORDER

Pending before the Court are a Report and Recommendation of the Magistrate Judge (Docket No. 441) and Objections filed by the Plaintiff (Docket Nos. 451 and 452).

The Court has reviewed the Report and Recommendation, the Objections, and the file. The Objections of the Plaintiff are overruled,<sup>1</sup> and the Report and Recommendation is adopted and approved. Accordingly, Defendants' Motion to Dismiss (Docket No. 408) is GRANTED, and this action is DISMISSED.

Any pending Motions are denied as moot, and the Clerk is directed to close the file. The trial set for January 25, 2011, and the pretrial conference set for January 10, 2011, are canceled. This Order shall constitute the final judgment in this case pursuant to Fed. R. Civ. P. 58.

IT IS SO ORDERED.

  
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TODD J. CAMPBELL  
UNITED STATES DISTRICT JUDGE

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<sup>1</sup> Plaintiff's objections concerning any alleged impropriety of the Magistrate Judge have been addressed twice before by U.S. District Judge Robert Echols (Docket Nos. 285 and 357), and there is no new credible evidence before the Court which would change those rulings.