



**ADOPTS** the Magistrate Judge's Report and **GRANTS** Defendant's Motion to Dismiss,  
**DENIES** Plaintiff's Motion to Amend, and **DENIES AS MOOT** Plaintiff's Motion for the  
Court to Intervene.

**IT IS SO ORDERED**, this 27th day of March, 2017.

s/ Sheryl H. Lipman  
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SHERYL H. LIPMAN  
UNITED STATES DISTRICT JUDGE