## IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF TEXAS BEAUMONT DIVISION

MICHAEL D. MCCORD, M.D.,	§	
	§	
Plaintiff,	§	
	§	
<i>v</i> .	§	CIVIL ACTION NO. 1:10-CV-413
	§	
PRUDENTIAL INSURANCE	§	
COMPANY OF AMERICA,	§	
TEXAS MEDICAL ASSOCIATION	§	
INSURANCE TRUST, and	§	
RUSSELL S. CRAVEY, M.D.,	§	
CHAIRMAN OF THE BOARD OF	§	
TRUSTEES OF THE TEXAS MEDICAL	§	
ASSOCIATION INSURANCE TRUST,	§	
	§	
Defendants.	§	

## MEMORANDUM ORDER ADOPTING REPORT AND OF PARTIAL DISMISSAL

Pending before the Court is the defendant, Russell S. Cravey, M.D., Chairman of the Board of Trustees for the Texas Medical Association Insurance Trust's Motion for Judgment on the Pleadings [doc. #28]. The Court referred this matter to United States Magistrate Judge Keith F. Giblin for consideration and recommended disposition of case-dispositive pretrial motions. On July 1, 2011, Judge Giblin issued his report and recommendation in which he recommended that the Court grant the motion for judgment on the pleadings.

The parties have not filed objections to the magistrate judge's report. The Court has received and considered the report of the United States Magistrate Judge, along with the record and pleadings. After review, the Court finds that Judge Giblin's findings and recommendations should be accepted. Based upon the magistrate judge's findings of fact and recommended disposition, the Court ORDERS that the report and recommendation on the motion for judgment on the pleadings [doc. #70] is ADOPTED. The Court further ORDERS that defendant Russell S. Cravey M.D., Chairman

of the Board of Trustees for the Texas Medical Association Insurance Trust's Motion for Judgment

on the Pleadings [doc. #28] is GRANTED. The plaintiff's claims asserted against defendants

Russell S. Cravey, M.D., and the Texas Medical Association Insurance Trust are **DISMISSED** in

their entirety, with prejudice. The Clerk of Court is directed to TERMINATE those parties as

defendants on the docket. The plaintiff's claims against defendant Prudential Insurance Company

of America remain pending.

So ORDERED and SIGNED this 27 day of July, 2011.

Pm Clark

Ron Clark, United States District Judge

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