

**United States District Court**  
**EASTERN DISTRICT OF TEXAS**  
**SHERMAN DIVISION**

NICHOLAS D. MOSSER	§
	§ Civil Action No. 4:15-CV-430
v.	§ (Judge Mazzant/Judge Nowak)
	§
AETNA LIFE INSURANCE COMPANY	§

**MEMORANDUM ADOPTING REPORT AND  
RECOMMENDATION OF UNITED STATES MAGISTRATE JUDGE**

Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the Magistrate Judge pursuant to 28 U.S.C. § 636. On February 14, 2017, the report of the Magistrate Judge (Dkt. #183) was entered containing proposed findings of fact and recommendations that Defendant's Motion to Dismiss and Supporting Brief (Dkt. #121) be denied.

Having received the report of the United States Magistrate Judge, and no objections thereto having been timely filed, this Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and adopts the Magistrate Judge's report as the findings and conclusions of the Court.

It is, therefore, **ORDERED** that Defendant's Motion to Dismiss and Supporting Brief (Dkt. #121) is **DENIED**.

**IT IS SO ORDERED.**

**SIGNED this 2nd day of March, 2017.**

  


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AMOS L. MAZZANT  
UNITED STATES DISTRICT JUDGE