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8 UNITED STATES DISTRICT COURT
9 WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

10 ANTHONY G. HERBERT,

11 Plaintiff,

Case No. C13-640-RSL

12 v.

13 CARYN VERTUCCI, D.D.S., *et al.*,

14 Defendants.

ORDER GRANTING DEFENDANTS'
MOTION FOR SUMMARY JUDGMENT
AND DENYING PLAINTIFF'S CROSS-
MOTION FOR SUMMARY JUDGMENT

15 The Court, having reviewed plaintiff's complaint, defendants' motion for summary
16 judgment, plaintiff's cross-motion for summary judgment, the Report and Recommendation of
17 the Honorable James P. Donohue, United States Magistrate Judge, and the remaining record,
18 does hereby find and ORDER:

19 (1) The Court adopts the Report and Recommendation.

20 (2) Defendants' motion for summary judgment (Dkt. 30) is GRANTED and
21 plaintiff's cross-motion for summary judgment (Dkt. No. 42) is DENIED.
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ORDER RE: CROSS-MOTIONS
FOR SUMMARY JUDGMENT - 1

(3) Plaintiff's complaint (Dkt. 7) and this action are DISMISSED with prejudice.

(4) The Clerk is directed to send copies of this Order to plaintiff, to counsel for defendants, and to the Honorable James P. Donohue.

DATED this 29th day of May, 2014.

Robert S. Lasnik
ROBERT S. LASNIK
United States District Judge