

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

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EUGENE MESSERSCHMIDT, et al,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 03-2421
)	(EGS)
UNITED STATES OF AMERICA,)	
)	
Defendant.)	
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ORDER

Pursuant to Federal Rule of Civil Procedure 58 and for the reasons stated by the Court in its Memorandum Opinion docketed this same day, it is this 10th day of March, 2005, hereby

ORDERED that the Defendants' Motion to Dismiss or, in the Alternative, for Summary Judgment is **GRANTED**; and it is further

ORDERED that the Plaintiffs' Cross-Motion for Summary Judgment and to Dismiss is **DENIED**.

ORDERED and ADJUDGED that the Clerk shall enter final judgment in favor of Defendants and shall remove this case from the active calendar of the Court.

Signed: Emmet G. Sullivan
United States District Judge
March 10, 2005