

MICHELLE HOYTE,
Plaintiff,
v.
AMERICAN NATIONAL RED CROSS,
Defendant.

Civil Action No. 04-1054 (PLF)

For the reasons stated in the separate Opinion issued this same day, it is hereby

ORDERED that the defendant's motion to dismiss [19] is GRANTED in part and

DENIED in part as moot and Count Two is DISMISSED; it is

FURTHER ORDERED the plaintiff's motion for entry of final judgment on the (previously) dismissed claim in Count One pursuant to Rule 54(b) of the Federal Rules of Civil Procedure [29] is DENIED as moot; it is

FURTHER ORDERED that, the Court previously having dismissed Count One and now having dismissed Count Two, this case is DISMISSED from the docket of this Court in its entirety; and it is

FURTHER ORDERED that this Order and Judgment shall constitute a FINAL JUDGMENT in this case. This is a final appealable order. See FED. R. APP. P. 4(a).

/s/ _____
PAUL L. FRIEDMAN
United States District Judge

DATE: July 14, 2006