

	)	
BEN POURBABAI,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Civil Action No. 04-1554 (PLF)
	)	
RAY LAHOOD, Secretary,	)	
United States Department of Transportation,	)	
	)	
Defendant.	)	
	)	

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

hereby

FURTHER ORDERED that the Court ADOPTS and APPROVES Magistrate Judge John M. Facciola's Second Report and Recommendation, dated February 20, 2009; it is

FURTHER ORDERED that judgment is entered in defendant's favor with respect to Counts II, III, IV and V of plaintiff's Amended Complaint; it is

FURTHER ORDERED that this case is DISMISSED in its entirety; and it is

FURTHER ORDERED that the Clerk of this Court shall remove this case from the docket of this Court. This is a final appealable order. See FED. R. APP. P. 4(a).

SO ORDERED.

/s/\_\_\_\_\_  
PAUL L. FRIEDMAN  
United States District Judge

DATE: March 25, 2009