

OSCAR E. MONCADA,  
  
Plaintiff,  
  
v.  
  
MARY E. PETERS, Secretary,  
United States Department of Transportation,<sup>1</sup>  
  
Defendant.

For the reasons stated in the Opinion issued this same day, it is hereby  
  
ORDERED that Plaintiff's Motion to Strike [41] is DENIED; it is  
  
FURTHER ORDERED that Defendant's Renewed Motion for Summary  
  
Judgment [38] is GRANTED; and it is  
  
FURTHER ORDERED that judgment is entered for the defendant.  
  
The Clerk of this Court shall remove Civil Action No. 05-0470 from the docket of  
  
this Court. This is a final appealable order. See FED. R. APP. P. 4(a).  
  
SO ORDERED.

DATE: September 29, 2008

<sup>1</sup> The complaint named Norman Y. Mineta, former Secretary of the United States Department of Transportation, as the party defendant. The Court now substitutes Mary E. Peters, Mr. Mineta's successor, pursuant to Rule 25(d) of the Federal Rules of Civil Procedure.