

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

|  |   |                                |
|--|---|--------------------------------|
| _____  | ) |                                |
| MALACHY COGHLAN, <i>et al.</i> ,                         | ) |                                |
|  | ) |                                |
| Plaintiffs,  | ) |                                |
|  | ) |                                |
| v.   | ) | Civil Action No. 05-1476 (PLF) |
|  | ) |                                |
| MARY E. PETERS, Secretary,                               | ) |                                |
| United States Department of Transportation, <sup>1</sup> | ) |                                |
|  | ) |                                |
| Defendant.   | ) |                                |
| _____  | ) |                                |

ORDER AND JUDGMENT

This matter is before the Court on defendant's motion to dismiss the amended complaint or, in the alternative, for summary judgment. Upon consideration of the motion, the opposition, the reply, the supplemental briefs submitted by the parties, and the entire record in this case, it is hereby

ORDERED that defendant's motion to dismiss the amended complaint or, in the alternative, for summary judgment [10] is GRANTED; it is

FURTHER ORDERED that JUDGMENT is entered for defendant; it is

FURTHER ORDERED that this Order and Judgment shall constitute a FINAL JUDGMENT in this case; and it is

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<sup>1</sup> The amended complaint names Norman Y. Mineta, former Secretary of Transportation, as the party defendant. The Court substitutes his successor, Mary E. Peters, pursuant to Rule 25(d) of the Federal Rules of Civil Procedure.

FURTHER ORDERED that the Clerk of this Court shall remove Civil Action No. 05-1476 from the docket of this Court. This is a final appealable order. See FED. R. APP. P. 4(a). An Opinion explaining the Court's reasoning will follow.

SO ORDERED.

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

DATE: March 31, 2008