

)	
DANIEL SUDNICK,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 06-0654 (ESH)
)	
DEPARTMENT OF DEFENSE)	
and JOHN A. SHAW,)	
)	
Defendants.)	
)	

For the reasons set forth in the accompanying Memorandum Opinion, defendant John A. Shaw's Motion to Dismiss the Amended Complaint [Dkt. # 40] is hereby **GRANTED** as to Counts IV and V and **DENIED** as to Counts VI and VII. It is hereby

SO ORDERED.

Date: February 8, 2007