

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

WILLIAM TODD LEE,

Plaintiff,

v.

PETE GEREN*

Acting Secretary of the Army,

Defendant.

Civil Action No. 06-884 (JDB)

ORDER

Upon consideration of [3] defendant's motion to dismiss or in the alternative for summary judgment, and the entire record herein, and for the reasons stated in the Memorandum Opinion issued on this date, it is this 29th day of March, 2007, hereby

ORDERED that [3] defendant's motion to dismiss or in the alternative for summary judgment is **GRANTED**; it is further

ORDERED that plaintiff's claims under § 552a(g)(1)(A) as to the March 16 notice, the March 29 notice, the notice of decision, and the Standard Form 50 are **DISMISSED** for failure to state a claim upon which relief can be granted; and it is further

*The original defendant in this action, Francis J. Harvey, was replaced as Secretary of the Army by Pete Geren on March 9, 2007. Geren is automatically substituted as defendant pursuant to Fed. R. Civ. P. 25(d)(1).

ORDERED that **JUDGMENT** is entered for defendant on the remainder of plaintiff's claims.

SO ORDERED.

/s/ John D. Bates
JOHN D. BATES
United States District Judge