

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

JOSEPH A. BUAIZ, JR.,

Plaintiff,

v.

UNITED STATES OF AMERICA,

Defendant.

Civil Action No. 06-1312 (RMC)

ORDER

For the reasons stated in the Memorandum Opinion filed separately and contemporaneously herewith, it is hereby

ORDERED that Defendant's Motion to Dismiss [Dkt. # 5] is **GRANTED IN PART AND DENIED IN PART**. The Motion is **GRANTED** with respect to Counts 1, 2, 3, 4, 5, 7, 8, 9, 10, 12, 13, 17, 19, 20, 21, 22, 23, 24, 25, and 26; those Counts are **DISMISSED** for lack of subject matter jurisdiction. The Motion is **DENIED** with respect to Counts 6, 11, 14, 15, 16, and 18.

IT IF FURTHER ORDERED that Plaintiff's Request for Judicial Notice [Dkt. # 11] is **DENIED**.

SO ORDERED.

Date: January 24, 2007

/s/
ROSEMARY M. COLLYER
United States District Judge