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THERESA SMALL SMITH,

Plaintiff,

v.

HOLLY H. SHIMIZU, *et al.*,

Defendants.

Civil Action No. 07-2217 (PLF)

For the reasons set forth in the Memorandum Opinion issued this same day, it is hereby

ORDERED that the motion to dismiss for failure to state a claim [7] is GRANTED; and it is

SO ORDERED.

DATE: April 14, 2008