

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA  
FORT PIERCE DIVISION  
CASE NO: 99-14027-CIV-GRAHAM/LYNCH

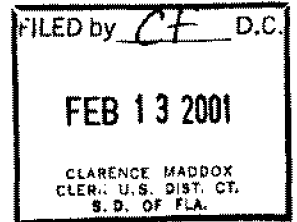
MARCELLUS M. MASON

Plaintiff,

vs.

HIGHLAND COUNTY BOARD OF COUNTY  
COMMISSIONERS, HEARTLAND LIBRARY  
COOPERATIVE, HARDEE COUNTY BOARD OF  
COUNTY COMMISSIONERS, OKEECHOBEE  
COUNTY BOARD OF COUNTY COMMISSIONERS,

Defendants.



---

ORDER

**THIS CAUSE** is before the Court upon Defendants' Motion to Dismiss (D.E. #342).

**THE MATTER** was referred to the Honorable United States Magistrate Judge Frank J. Lynch. A report recommending that the Court grant, in part, Defendants' Partial Motion to Dismiss, dated November 22, 2000, has been submitted. Plaintiff filed his objections on November 29, 2000.

The Court has conducted a de novo review of the file and is otherwise fully advised in the premises. Accordingly, it is

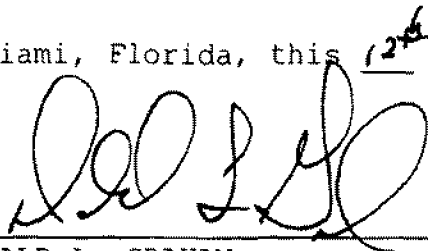
**ORDERED AND ADJUDGED** that United States Magistrate Judge Lynch's Report of November 29, 2000 is hereby RATIFIED, AFFIRMED and APPROVED in its entirety. Therefore it is

**ORDERED AND ADJUDGED** that Defendant's Motion to Dismiss is GRANTED in part. Counts Three (3), Five (5), Seven (7), Eight (8),

4/6/01  
CF

Ten (10), Eleven (11), Twelve (12), Thirteen (13), Fifteen (15),  
Seventeen (17), Eighteen (18), Nineteen (19), Twenty (20), Twenty-  
One (21), Twenty-Two (22), Twenty-Three (23), Twenty-Four (24),  
Twenty-Five (25), Twenty-Six (26), and Twenty-Seven (27) are each  
DISMISSED with prejudice.

**DONE AND ORDERED** in Chambers at Miami, Florida, this 2<sup>nd</sup> day  
of February, 2001.



---

DONALD L. GRAHAM  
UNITED STATES DISTRICT JUDGE

cc: Magistrate Judge Lynch  
Marcellus Mason, Jr.  
Maria Sorolis, Esq.