

**United States District Court**  
EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

MARK J. WATSON

vs.

CHIEF ADMINISTRATIVE JUDGE,  
U.S. DEPARTMENT OF LABOR

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Case No. 4:09cv310  
(Judge Schneider/Judge Mazzant)

**MEMORANDUM ADOPTING REPORT AND  
RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE**

Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the United States Magistrate Judge pursuant to 28 U.S.C. §636. On February 10, 2010, the report of the Magistrate Judge was entered containing proposed findings of fact and recommendations that the Motion to Dismiss with Prejudice (Dkt. #37) filed on behalf of the Secretary of Labor, Hilda L. Solis<sup>1</sup> (the “Secretary”), the Department of Labor’s Administrative Review Board (the “Board”), and the third-party federal respondents Department of State (“DOS”) and Department of Homeland Security (“DHS”) should be granted.

The Court, having made a *de novo* review of the objections raised by Plaintiff, is of the opinion that the findings and conclusions of the Magistrate Judge are correct, and the objections are without merit. Therefore, the Court hereby adopts the findings and conclusions of the Magistrate Judge as the findings and conclusions of this Court.

It is, therefore, **ORDERED** that the Motion to Dismiss with Prejudice (Dkt. #37) filed on behalf of the Secretary of Labor, Hilda L. Solis (the “Secretary”), the Department of Labor’s

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<sup>1</sup> Mark J. Watson filed this action against the Chief Administrative Law Judge (“ALJ”) of the Department of Labor. The ALJ is not a proper party.

Administrative Review Board (the “Board”), and the third-party federal respondents Department of State (“DOS”) and Department of Homeland Security (“DHS”) is **GRANTED** and the case is **DISMISSED** with prejudice.

**IT IS SO ORDERED.**

**SIGNED this 23rd day of February, 2010.**

A handwritten signature in black ink, reading "Michael H. Schneider". The signature is written in a cursive style with a large initial "M".

MICHAEL H. SCHNEIDER  
UNITED STATES DISTRICT JUDGE