



1 Accordingly, IT IS HEREBY ORDERED as follows:

2 (1) Magistrate Judge Guerin's Report and Recommendation (Doc. 62) is accepted and  
3 adopted.

4 (2) Defendants' motion to dismiss (Doc. 42) is denied in part and granted in part.<sup>2</sup>

5 (3) Plaintiffs shall file their Third Amended Complaint no later than February 11, 2011.

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7 DATED this 23<sup>rd</sup> day of December, 2010.

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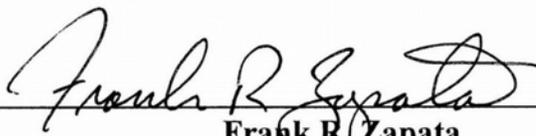
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Frank R. Zapata  
Senior United States District Judge

24 claim, the clarification sought by Plaintiffs seems unnecessary. Plaintiffs seek clarification because  
25 they think the Report and Recommendation suggests only one manner to cure the causation issue.  
26 However, the Court does not see any such suggestion from the Report and Recommendation, and  
27 Plaintiffs obviously are free to attempt to cure any potential pleading problems (whether identified  
28 by the Court, Defendants, or themselves) as they see fit upon filing their Third Amended Complaint.

<sup>2</sup>Co-Defendants unopposed motion for joinder (Doc. 62) in the objections filed by Milberg is granted.