



1 Baca's Motion to Dismiss the First Amended Complaint ("Motion to Dismiss"),  
2 plaintiff's Opposition thereto, and defendant Baca's Reply; and (4) all of the  
3 records herein, including the attached Report and Recommendation of United  
4 States Magistrate Judge ("Report and Recommendation") and defendants'  
5 objections to the Report and Recommendation ("Objections"). The Court has  
6 further made a *de novo* determination of those portions of the Report and  
7 Recommendation to which objection is made. The Court concurs with and adopts  
8 the findings, conclusions, and recommendations of the United States Magistrate  
9 Judge, except that, as noted in the Objections which are sustained, the proper party  
10 to substitute in as a defendant is the County of Los Angeles, rather than the City of  
11 Los Angeles.

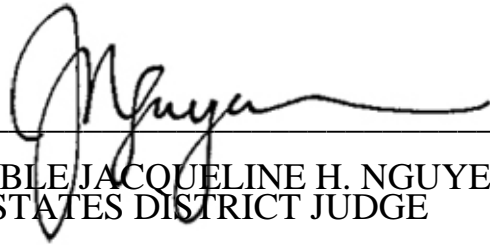
12 IT IS HEREBY ORDERED: (1) Plaintiff's Rule 56(f) Requests are denied;  
13 (2) the Summary Judgment Motion is granted to the extent it seeks summary  
14 judgment in favor of defendant Baca in his individual capacity; (3) the Motion to  
15 Dismiss is granted to the extent it seeks dismissal of the First Amended Complaint  
16 against defendant Baca in his official capacity; (4) the County of Los Angeles is  
17 substituted in as a defendant in the stead of defendant Baca in his official capacity;  
18 and (5) the County of Los Angeles shall file a response to the First Amended  
19 Complaint as directed by the United States Magistrate Judge.

20 IT IS FURTHER ORDERED that the Clerk serve copies of this Order and  
21 the Report and Recommendation on plaintiff and on defendants' counsel.

22 IT IS SO ORDERED.

23 DATED: December 6, 2010

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HONORABLE JACQUELINE H. NGUYEN  
UNITED STATES DISTRICT JUDGE