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UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

ADAM JAWIEN, et al.,	)	Case No. CV 10-9501-GHK (DTB)
Plaintiffs,	)	
vs.	)	ORDER ACCEPTING FINDINGS, CONCLUSIONS AND RECOMMENDATIONS OF UNITED STATES MAGISTRATE JUDGE
COUNTY OF SAN BERNARDINO, et al.,	)	
Defendants.	)	

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Pursuant to 28 U.S.C. § 636, the Court has reviewed the First Amended Complaint, all the records and files herein, and the Amended Report and Recommendation and Report and Recommendation of the United States Magistrate Judge. No objections to the Report and Recommendation have been filed herein. The Court concurs with and accepts the findings, conclusions and recommendations of the Magistrate Judge.

IT THEREFORE IS ORDERED that defendants’ Motion to Dismiss Merck’s alienation claim in the First Cause of Action is granted without leave to amend; that defendants’ Motion to Dismiss Merck’s Monell claim in the Third Cause of Action and Merck’s negligence claim in the Sixth Cause of Action is granted with leave to amend; that defendants’ Motion to Dismiss Merck’s § 1983 claims for unreasonable search and seizure in the First Cause of Action; Merck’s Bane Act claim in the Fourth

1 Cause of Action; and Merck's Intentional Infliction of Emotional Distress Claim in  
2 the Fifth Cause of Action is denied; that defendants' Motion to Strike is denied; and  
3 that plaintiffs are ordered, if they decide to proceed, to file a Second Amended  
4 Complaint within thirty (30) days of the date of this Order.

5 DATED: 8/26/12

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8 GEORGE H. KING  
9 UNITED STATES DISTRICT JUDGE  
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