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7 Attorneys for Defendant
 8 MICHAEL PLANET, IN HIS OFFICIAL
 9 CAPACITY AS COURT EXECUTIVE
 10 OFFICER/CLERK OF THE VENTURA
 11 COUNTY SUPERIOR COURT

11 UNITED STATES DISTRICT COURT
 12 CENTRAL DISTRICT OF CALIFORNIA

14 COURTHOUSE NEWS SERVICE,
 15 Plaintiff,

16 v.

17 MICHAEL PLANET, IN HIS
 18 OFFICIAL CAPACITY AS COURT
 19 EXECUTIVE OFFICER/CLERK OF
 20 THE VENTURA COUNTY
 21 SUPERIOR COURT,
 Defendant.

Case No. CV11-08083 R (MANx)

Assigned for all purposes to
Hon. Manuel L. Real

**ORDER GRANTING
 DEFENDANT’S MOTION TO
 DISMISS AND ABSTAIN**

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Order Granting Def’s
 Motion to Dismiss and Abstain
 Case No. CV 11-08083 R (MANx)

1 A Motion to Dismiss and Abstain (“Motion”) filed by Defendant Michael D.
2 Planet, in his official capacity as Executive Officer and Clerk of the Superior Court
3 of California, County of Ventura, came on for hearing on November 28, 2011, at
4 10:00 a.m., before the Honorable Manuel L. Real. Rachel Matteo-Boehm and
5 David Greene appeared on behalf of Plaintiff Courthouse News Service. Robert A.
6 Naeve and Erica L. Reilley appeared on behalf of Defendant Michael D. Planet.

7 Having considered all the papers submitted, oral argument, and the Court’s
8 file in this matter, and good cause having been shown, the Court hereby ORDERS
9 as follows:

10 (1) Defendant’s Motion is GRANTED.

11 (2) The Court dismisses Plaintiff’s Third Claim for Relief for violation of
12 California Rule of Court 2.550 because it is barred by the Eleventh Amendment to
13 the United States Constitution;

14 (3) The Court abstains and dismisses the remainder of Plaintiff’s
15 Complaint for Injunctive and Declaratory Relief under the equitable abstention
16 doctrine enunciated in *O’Shea v. Littleton*, 414 U.S. 488 (1974), and its progeny;
17 and

18 (4) The Court further abstains and dismisses the remainder of Plaintiff’s
19 Complaint under the abstention doctrine enunciated in *Railroad Commission of*
20 *Texas v. Pullman Co.*, 312 U.S. 496 (1941).

21 IT IS SO ORDERED.

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23 Dated: November 30, 2011



24 Hon. Manuel L. Real
25 U.S. District Court Judge