

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

RUSSELL MAESTRO,
Plaintiff,
v.
UNITED STATES OF AMERICA,
et al.,
Defendants.

Case No. CV 13-5448 R(JC)

ORDER ACCEPTING FINDINGS,
CONCLUSIONS, AND
RECOMMENDATIONS OF UNITED
STATES MAGISTRATE JUDGE

Pursuant to 28 U.S.C. § 636, the Court has reviewed the First Amended Complaint, all documents filed in connection with the Motion for Summary Judgment filed by defendant Magana (“Magana Motion”), the Motion for Summary Judgment filed by defendants Gross, Murphy, Perrodin, Ortiz, Lewis, Padilla, Carlon, Austin, Buckley, and Foster (“Joint Motion”), plaintiff’s Motions to Strike evidence related thereto, and Plaintiff’s Motion for Summary Judgment against defendant United States (“Plaintiff’s Motion”), together with all of the records herein, including the attached Report and Recommendation of United States Magistrate Judge (“Report and Recommendation”). The Court approves and accepts the Report and Recommendation.

///
///

1 IT IS HEREBY ORDERED THAT: (1) Plaintiff's Motions to Strike
2 evidence are denied; (2) the Magana Motion is granted; (3) the Joint Motion is
3 granted; (4) Plaintiff's Motion is denied; and, in light of the foregoing, (5) this
4 action will proceed solely on plaintiff's remaining FTCA claim against the United
5 States.

6 IT IS FURTHER ORDERED that the Clerk serve copies of this Order and
7 the Report and Recommendation on plaintiff and counsel for defendants.

8 IT IS SO ORDERED

9
10 DATED: January 15, 2015



11
12 HONORABLE MANUEL L. REAL
13 UNITED STATES DISTRICT JUDGE
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28