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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION

HAROUT BAGDASARYAN,
MASIS BAGDASARYAN,

 Plaintiffs,

 v.

CITY OF LOS ANGELES and
DOES 1-10,

 Respondent.

Case No. CV 15-1008-JLS (KES)

Order Accepting Report and
Recommendation of United States
Magistrate Judge

Pursuant to 28 U.S.C. § 636(b)(1), the Court has reviewed the Third Amended Complaint (the “TAC”), the parties’ motion and opposition papers, the records on file, and the Report and Recommendation of the assigned United States Magistrate Judge. Further, the Court has also reviewed the City of Los Angeles’s (the “City”) written requests for clarification and objections to the Report and Recommendation and made a de novo determination of those portions of the Report and Recommendation to which objections are made.

IT IS HEREBY ORDERED that:

1. The Report and Recommendation is approved and accepted.

1 2. The City’s Motion to Dismiss the first, second, and fourth causes
2 of action alleged by Harout Bagdasaryan—i.e., his due process and abuse of
3 power claims—is granted, and those claims are dismissed with prejudice;¹

4 3. The remainder of the City’s Motion to Dismiss is denied;²

5 4. The City’s Answer filed on March 22, 2016 (Dkt. 38) is deemed an
6 answer in response to the claims remaining in Plaintiffs’ lawsuit following
7 entry of this Order.

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9 Dated: July 6, 2016



10 JOSEPHINE L. STATON
11 United States District Judge
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16 ¹ In its objections, the City argues that the Report and
17 Recommendation mistakenly refers to the California Public Records Act claim
18 as the third cause of action when it is in fact the fourth cause of action, and the
19 “abuse of power” claim as the fourth cause of action when it is in fact the
20 third. (Dkt. 40 at 2.) While the caption of the TAC reflects the City’s
21 understanding, the Report and Recommendation is accurate based on TAC’s
22 substance. (Dkt. 24 at 18.) The City also queries whether Harout
23 Bagdasaryan’s elder abuse claim remains dismissed with prejudice. (Dkt. 40 at
24 2.) It does. Dkt. 37 at 10 (“Plaintiff Harout Bagdasaryan asserts an injury
25 personal to himself in the third cause of action alleging violations of
26 California’s Public Records Act and the sixth cause of action for IIED. He
27 remains a plaintiff only as to these two causes of action.”) (emphasis added).

28 ² In its objections, the City raises new arguments regarding the
abuse of power and elder abuse claims, arguments that it did not raise in its
motion to dismiss the TAC. (Dkt. 40 at 3-5.) Plaintiffs did not have an
opportunity to respond to these arguments and the Court will not rule on
them.