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8 UNITED STATES DISTRICT COURT
9 CENTRAL DISTRICT OF CALIFORNIA
10 WESTERN DIVISION

11	LORCAN T. KILROY,	} Case No.: CV 16-09068-DMG (JDE) } } ORDER ACCEPTING FINDINGS } AND RECOMMENDATION OF } UNITED STATES MAGISTRATE } JUDGE
12	Plaintiff,	
13	v.	
14	LOS ANGELES UNIFIED	
15	SCHOOL DISTRICT BOARD	
16	OF EDUCATION, et al.,	
17	Defendants.	}

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19 Pursuant to 28 U.S.C. § 636, the Court has reviewed the First Amended
20 Complaint, the Motion to Dismiss filed by defendants Los Angeles Unified
21 School District Board of Education ("LAUSD"), John Plevack, Paula Greene,
22 Justo Avila, George McKenna, Scott Schmerelson, Monica Ratliff, and Ref
23 Rodriguez ("Motion to Dismiss"), the Opposition of Plaintiff Lorcan T.
24 Kilroy, the Reply of the moving defendants, the other records on file herein,
25 and the Report and Recommendation of the assigned United States Magistrate
26 Judge. Further, the Court has engaged in a de novo review of those portions
27 of the Report and Recommendation to which objections have been made.
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1 1. The Magistrate Judge's Report and Recommendation is approved
2 and accepted, with some modifications noted below.

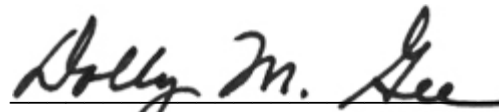
3 2. The Motion to Dismiss Causes of Action One through Eight
4 against defendant LAUSD is GRANTED without leave to amend as to those
5 claims. Any request to raise new causes of action against defendant LAUSD
6 must be raised by way of a motion to amend.

7 3. The Motion to Dismiss Causes of Action One through Seven in
8 the First Amended Complaint is GRANTED as to defendants John Plevack,
9 Paula Greene, Justo Avila, George McKenna, Scott Schmerelson, Monica
10 Ratliff, and Ref Rodriguez in their official capacities, without leave to amend
11 as to those claims. Any request to raise new causes of action against LAUSD
12 Individual Defendants in their official capacity must be raised by way of a
13 motion to amend.

14 4. The Motion to Dismiss Causes of Action Nine and Ten by
15 defendants John Plevack, Paula Greene, Justo Avila, George McKenna, Scott
16 Schmerelson, Monica Ratliff, and Ref Rodriguez in their individual capacities
17 is DENIED.

18 5. All remaining defendants, who have not otherwise filed their
19 Answer, shall file their Answer to the First Amended Complaint within 21
20 days after the date of this Order.

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22 DATED: October 3, 2017

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24 DOLLY M. GEE
25 United States District Judge
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