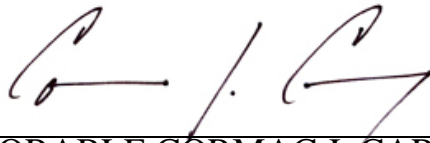


1 IT IS ORDERED that Judgment be entered: (1) approving and adopting this
2 Amended Report and Recommendation; and (2) directing that Judgment be entered
3 denying the Second Amended Petition and dismissing this action with prejudice.
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6 DATED: November 21, 2008



HONORABLE CORMAC J. CARNEY
United States District Judge

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9 Prepared by:



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12 HONORABLE OSWALD PARADA
13 United States Magistrate Judge
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