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UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA  
WESTERN DIVISION

GEORGE W. SHUFELT,  
Plaintiff,  
v.  
LINDA DAVIS, et al.,  
Defendants.

No. ED CV 07-1188-PA (PLA)

**ORDER ADOPTING MAGISTRATE  
JUDGE'S REPORT AND  
RECOMMENDATION**

Pursuant to 28 U.S.C. § 636, the Court has reviewed the entire file de novo, including the magistrate judge's report and recommendation. The Court agrees with the recommendations of the magistrate judge.

ACCORDINGLY, IT IS ORDERED:

1. The report and recommendation is adopted.
2. Defendants' motion to dismiss is denied.
3. The clerk shall serve this order on all counsel or parties of record.

DATED: *January 22, 2009*

  
HONORABLE PERCY ANDERSON  
UNITED STATES DISTRICT JUDGE