

1 dismissing defendant Gutierrez; and (4) defendants' Motion to Dismiss Claim Two
2 against defendant Hernandez in his individual capacity is denied. Defendant
3 Hernandez is ordered to answer the operative Third Amended Complaint within
4 fourteen days of this Order.

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6 DATED: January 10, 2018

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HONORABLE R. GARY KLAUSNER
UNITED STATES DISTRICT JUDGE