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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

TIMOTHY L. WHITING,

Plaintiff,

v.

DEPARTMENT OF THE CALIFORNIA
HIGHWAY PATROL, et al.,

Defendants.

Case No. EDCV 18-2652-CAS (JEM)

ORDER ACCEPTING FINDINGS AND
RECOMMENDATIONS OF UNITED
STATES MAGISTRATE JUDGE

Pursuant to 28 U.S.C. Section 636, the Court has reviewed the pleadings, the records on file, and the Amended Report and Recommendation of the United States Magistrate Judge, filed September 1, 2020. Defendants have filed Objections, and the Court has conducted a de novo review of those portions of the Report and Recommendation to which Defendants have objected. The Court accepts the findings and recommendations of the Magistrate Judge.

IT IS ORDERED that: (1) Defendants' Motion to Dismiss is granted in part and denied in part as follows: (a) Claims One, Four through Six, and Eight through Fifteen are dismissed without leave to amend; (b) Claim Seven is dismissed with leave to amend as to Ceballos and without leave to amend as to the other Defendants; (c) the Motion to Dismiss

1 is denied as to Claims Two and Three against Ceballos; and (2) Plaintiff is granted leave to
2 file a Third Amended Complaint consistent with this Order within thirty days.

3 If Plaintiff decides not to file a Third Amended Complaint, the action will proceed on
4 Claims Two and Three against Defendant Ceballos.

Christina A. Snyder

7 DATED: September 25, 2020

CHRISTINA A. SNYDER
UNITED STATES DISTRICT JUDGE