

1 Michael G. Woods, # 058683-0
 Deborah A. Byron, #105327
 2 McCormick, Barstow, Sheppard,
 Wayte & Carruth LLP
 3 P.O. Box 28912
 5 River Park Place East
 4 Fresno, CA 93720-1501
 Telephone: (559) 433-1300
 5 Facsimile: (559) 433-2300

(SPACE BELOW FOR FILING STAMP ONLY)

6 Attorneys for Defendants
 COUNTY OF FRESNO, KENNETH TANIGUCHI

8 UNITED STATES DISTRICT COURT
 9 EASTERN DISTRICT OF CALIFORNIA

11 IVANA MULDREW, DARREN HISE,
 12 Plaintiffs,
 13 v.
 14 COUNTY OF FRESNO, KENNETH
 TANIGUCHI,
 15 Defendants.

Case No. 1:09-CV- 00023-OWW-DLB

**ORDER GRANTING IN PART AND
 DENYING IN PART MOTION FOR
 SUMMARY JUDGMENT AGAINST
 PLAINTIFF DARREN HISE**

DATE: June 28, 2010
TIME: 10:00 a.m.
COURTROOM: No. 3

JUDGE: Hon. Oliver W. Wanger

18
 19
 20 The motion of Defendants COUNTY OF FRESNO and KENNETH TANIGUCHI for
 21 summary judgment came on regularly for hearing before the Court on June 28, 2010, Michael G.
 22 Woods of McCormick, Barstow, Sheppard, Wayte & Carruth LLP, appeared as attorney for
 23 moving parties and Rayma Church of Emerson, Corey, Sorenson, Church & Libke appeared as
 24 attorney for Plaintiff DARREN HISE.

25 ///

26 ///

28 ///

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

After considering the moving and opposition papers, arguments of counsel and all other matters presented to the court, IT IS HEREBY ORDERED THAT the motion is GRANTED as to the Fifth Cause of Action under 29 U.S.C., § 2615(a)(1) and California Gov. Code, § 12942.5, and DENIED as to the Fourth Cause of Action under 42 U.S.C., § 1981 and Cal. Gov. Code, § 12900.

DATED: August 20, 2010

/s/ OLIVER W. WANGER
UNITED STATES DISTRICT JUDGE