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**IN THE UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF CALIFORNIA**

<b>GABRIELLE RODRIGUEZ,</b>	)	<b>CV F 09- CV - 1176 AWI MJS</b>
<b>Plaintiff,</b>	)	
<b>v.</b>	)	<b>ORDER CORRECTING</b>
<b>CITY OF FRESNO, JERRY DYER</b>	)	<b>CLERICAL ERROR NUNC</b>
<b>ROBERT CHAVEZ, and DOES 1 to 20,</b>	)	<b>PRO TUNC RE: ORDER ON</b>
<b>inclusive,</b>	)	<b>DEFENDANTS' MOTION FOR</b>
<b>Defendants.</b>	)	<b>SUMMARY JUDGMENT OR</b>
	)	<b>SUMMARY ADJUDICATION</b>
	)	<b>Correcting Document # 96</b>

In this action, the court granted Defendants' motion for summary judgment by order filed on May 16, 2011 (the "May 16 Order"). In the May 16 Order, the court intended to grant judgment in favor of Plaintiff as to Plaintiff's first, second, fifth and sixth claims for relief. As to Plaintiff's remaining claims for relief numbered third, fourth, seventh and eighth, the court declined to exercise supplementary jurisdiction and intended to dismiss these claims without prejudice. The parties have pointed out that clerical errors were entered into the court's orders at items numbered 5 and 6 on page 22 of the court's May 16 Order.

THEREFORE, pursuant to Rule 60(a) of the Federal Rules of Civil Procedure, the court hereby ORDERS that the court's May 16 Order is hereby CORRECTED NUNC PRO

1 TUNC as to the court's orders numbered 5 and 6 on page 22 of Document Number 96 as  
2 follows:

- 3 5. Defendants' motion for summary judgment as to Plaintiff's fifth claim for relief for  
4 violation of section 51.7 of the California Civil Code is GRANTED. The clerk of the  
5 court shall ENTER JUDGMENT in favor of Defendants as to Plaintiff's fifth claim  
6 for relief.
- 7 6. Defendants' sixth claim for relief for violation of section 52.1 of the California Civil  
8 Code is hereby GRANTED. The Clerk of the Court shall ENTER JUDGMENT in  
9 favor of Defendants' as to Plaintiff's sixth claim for relief.
- 10 7. Plaintiff's third, fourth, seventh and eighth claim for relief are hereby DISMISSED  
11 without prejudice.
- 12 8. The Clerk of the Court shall CORRECT the Order of Judgment consistent with the  
13 above corrections.
- 14 9. The Clerk of the Court shall CLOSE THE CASE.

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16 IT IS SO ORDERED.

17 Dated: May 25, 2011

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20 CHIEF UNITED STATES DISTRICT JUDGE  
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