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HOWARD
RICE
NEMEROVSKI
CANADY
FALK
& RABKIN
A Professional Corporation

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
FRESNO DIVISION

MARIA G. HERRERA, an individual,
Plaintiff,

v.

THOMAS GIAMPIETRO, an individual;
ROSEMARY MONTEMAYOR, an
individual; MONSON-SULTANA JOINT
UNION ELEMENTARY SCHOOL
DISTRICT; and DOES 1-50, inclusive,
Defendants.

No. 1:09-cv-1466-OWW-GSA

**ORDER GRANTING IN PART AND
DENYING IN PART DEFENDANTS'
MOTION TO DISMISS**

Judge: Hon. Oliver W. Wanger

Defendants' Motion to Dismiss and Motion to Strike Plaintiff's First Amended Complaint ("Motion") came on for hearing in this Court on May 3, 2010. The Court, having reviewed and considered the Motion, Plaintiff's opposition and Defendants' reply brief and arguments of counsel at the hearing, issued a Memorandum of Decision on Defendants' Motion to Dismiss and Motion to Strike the First Amended Complaint on May 10, 2010, which is attached hereto as Exhibit A. Based on this Memorandum of Decision, the Court

