



1 Federal Rule of Civil Procedure 56(d). (ECF No. 108.) The Magistrate Judge imposed a  
2 fourteen day objection deadline. (ECF No. 116.) To date, neither party has filed any  
3 objections, and the time for doing so has passed.

4 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C) and Local Rule 304,  
5 the Court has conducted a de novo review of this case. Having carefully reviewed the  
6 entire file, the Court finds the findings and recommendations to be supported by the  
7 record and by proper analysis.

8 Accordingly, it is HEREBY ORDERED that:

- 9 1. The Court adopts the findings and recommendations filed on August 16,  
10 2016 (ECF No. 116) in full;
- 11 2. Defendants' motion for summary judgment (ECF No. 99) is DENIED;
- 12 3. Plaintiff's motion to stay the proceedings pursuant to Rule 56(d) (ECF No.  
13 108) is DENIED; and
- 14 4. The case shall proceed against Defendants Walker, Prokop, Fellows,  
15 Spralding, and Davis on Plaintiff's Eighth Amendment failure to protect  
16 claim.

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18 IT IS SO ORDERED.

19 Dated: September 15, 2016

/s/ Lawrence J. O'Neill  
UNITED STATES CHIEF DISTRICT JUDGE

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