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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

ARTHUR DUANE JACKSON, et al.,
Plaintiffs,
v.
STATE OF CALIFORNIA, et al.,
Defendants.

Case No. 1:13-cv-01055-LJO-SAB
ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS
(ECF Nos. 44, 55, 58, 63)

Plaintiffs Arthur D. Jackson, Leonard M. Lujan, Marcus Jackson, Rodney Taylor, Lacedric Johnson, L.T. Belton, and Norman Johnson filed this class action on behalf of themselves and all others similarly situated on July 9, 2013. Defendants filed a Motion to Dismiss the Second Amended Complaint on April 28, 2014.

On August 1, 2013, the magistrate judge assigned to this action issued a [Findings and Recommendations](#) recommending that Defendants’ Motion to Dismiss be granted in part and denied in part. The Findings and Recommendations was served on all parties and contained notice that any objections were to be filed within fourteen (14) days. On August 13, 2014, Defendants filed [Objections](#) to the Findings and Recommendations.

In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), this Court has conducted a de novo review of the case. Having carefully reviewed the entire file, the Court finds that the Findings and Recommendations are supported by the record and by proper analysis.

1 Accordingly, it is HEREBY ORDERED that:

- 2 1. The Findings and Recommendations dated July 30, 2014 are adopted in full;
- 3 2. Defendants' Motion to Dismiss is GRANTED IN PART and DENIED IN PART
- 4 as follows:
- 5 a. Defendants' Motion to Dismiss Plaintiffs' claims based upon the contracts
- 6 clause of 42 U.S.C. § 1981 is GRANTED and the claim is DISMISSED
- 7 from this action;
- 8 b. Defendants' Motion to Dismiss is DENIED in all other respects.
- 9 3. This action is referred back to the magistrate judge for further proceedings.

10 **SO ORDERED**

11 **Dated: August 19, 2014**

12 /s/ Lawrence J. O'Neill
13 **United States District Judge**

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