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LOWE'S HOME CENTERS, LLC  
erroneously sued and served as LOWE'S COMPANIES, INC.

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

CYNTHIA BOCANEGRAS,  
Plaintiff,  
v.  
LOWE'S COMPANIES, INC., and  
DOES 1 TO 10,  
Defendants.

CASE NO.: 1:14-cv-01694-BAM  
(Tulare County Superior Court Case No.:  
257996)

**ORDER GRANTING STIPULATION  
TO STRIKE PORTIONS OF  
PLAINTIFF'S COMPLAINT**

**Hon. Morris C. England, Jr.  
U.S. District Court Judge**

Based on the parties' Stipulation to Strike Portions of Plaintiff's Complaint, and the Court's finding that Plaintiff's count for Willful Failure to Warn is inapplicable to her Premises Liability Cause of Action, and good cause otherwise appearing, **IT IS HEREBY ORDERED** that the following be stricken from Plaintiff CYNTHIA BOCANEGRA's Complaint:

## **PLAINTIFF'S FIRST CAUSE OF ACTION – PREMISES LIABILITY:**

## COUNT TWO-WILLFUL FAILURE TO WARN

“Count Two-Willful Failure to Warn [Civil Code section 846]. “The defendant owners who willfully or maliciously failed to guard or warn against a

1 dangerous condition, use, structure, or activity were Lowe's Companies, Inc.," and  
2 Does 6 to 10." [Page 5, Prem. L-3].

3 IT IS SO ORDERED.

4 Dated: January 5, 2015

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6 MORRISON C. ENGLAND, JR., CHIEF JUDGE  
7 UNITED STATES DISTRICT COURT

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