



1 In accordance with the provisions of 28 U.S.C. § 636 (b)(1)(B) and Local Rule 304, the  
2 court has conducted a *de novo* review of this case. Having carefully reviewed the entire file, the  
3 court concludes that the findings and recommendations are supported by the record and proper  
4 analysis.

5 Accordingly:

- 6 1. The findings and recommendations issued on March 4, 2020 (Doc. No. 96) are  
7 adopted in full;
- 8 2. Defendant Miller's motion for summary judgment, filed on February 26, 2019  
9 (Doc. No. 41), is denied; and
- 10 3. The matter is referred back to the assigned magistrate judge for further  
11 proceedings.

12 IT IS SO ORDERED.

13 Dated: April 8, 2020

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16 UNITED STATES DISTRICT JUDGE  
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