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**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

SILVIA PATRICIA VALDEZ, as successor-in-interest to OMAR PASILLAS and individually; ABELARDO PASILLAS, as successor-in-interest to OMAR PASILLAS and individually,

Plaintiffs,

v.

R.N. N.J. MILBURN, an individual; LPT BRADY, an individual; R.N. BUCARO, an individual; DR. SAVAGE, an individual; CORRECTIONAL OFFICER BOONE, an individual; CORRECTIONAL OFFICER VASQUEZ, an individual, and DOES 7 through 10,

Defendants.

CASE NO. 1:17-cv-00712-DAD-EPG

ORDER RE: FILING OF SECOND AMENDED COMPLAINT

(ECF No. 39)

Stipulation having been submitted by the parties, with proof having been made to the satisfaction of the Court, and good cause appearing therefore,

IT IS HEREBY ORDERED:

1. Plaintiffs will file a Second Amended Complaint ("SAC") in order to take out claims for Municipal Liability, Failure to Train, and any claims under the 14th Amendment Due Process Clause.
2. Plaintiffs also file a Second Amended Complaint in order to dismiss Defendant Savage,

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M.D. ("Dr. Savage") and all other medical personnel from liability under Plaintiffs' second claim for relief, Cruel and Unusual Punishment.

3. The present stipulation reflects the parties' joint stipulation filed on December 5, 2017, (ECF No. 35).

4. The SAC shall be filed and served on Defendants R.N. N.J. Milburn, LPT Brady, R.N. Bucaro, Correctional Officer Boone, and Correctional Officer Vasquez via their counsel, Lawrence Bragg, as well as Dr. Savage, via his counsel Susan E. Coleman, by January 2, 2017.

5. Defendants R.N. N.J. Milburn, LPT Brady, R.N. Bucaro, Correctional Officer Boone, Correctional Officer Vasquez, and Dr. Savage shall have 21 days from the date that they are served with the SAC to file a responsive pleading.

IT IS SO ORDERED.

Dated: December 27, 2017

/s/ Eric P. Gray
UNITED STATES MAGISTRATE JUDGE