

1 Accordingly, IT IS HEREBY ORDERED that:

- 2 1. The findings and recommendations, filed January 10, 2018, is ADOPTED IN
3 FULL;
- 4 2. Plaintiffs' first amended complaint filed October 12, 2017 is DISMISSED;
- 5 3. Plaintiffs shall file a second amended complaint which properly identifies
6 Defendant Gallo within thirty days from the date of entry of this order; and
- 7 4. If Plaintiffs fail to file a second amended complaint in compliance with this order
8 this action shall be dismissed for failure to state a claim.

9
10 IT IS SO ORDERED.

11 Dated: January 30, 2018

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