

1 In accordance with 28 U.S.C. § 636(b)(1)(C), the Court has conducted a *de novo* review of
2 this case. Having carefully reviewed the entire file, the Court finds the findings and
3 recommendations to be supported by the record and by proper analysis.

4 Accordingly,

- 5 1. The findings and recommendations issued on February 7, 2023, (ECF No. 53), are
6 adopted in full;
- 7 2. Defendants' motion to dismiss, (ECF No. 31), is denied; and
- 8 3. This action is referred back to the assigned Magistrate Judge for further proceedings
9 consistent with this order.

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12 IT IS SO ORDERED.

13 Dated: March 14, 2023

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UNITED STATES DISTRICT JUDGE