

1 waive the right to appeal the District Court's order." (*Id.*, citing *Wilkerson v. Wheeler*, 772 F.3d
2 834, 839 (9th Cir. 2014); *Baxter v. Sullivan*, 923 F.2d 1391, 1394 (9th Cir. 1991).) No objections
3 were filed by either party. On August 24, 2023, Plaintiffs filed their sixth amended complaint.
4 (Doc. 142.)

5 Pursuant to 28 U.S.C. § 636(b)(1)(C), and Local Rule 304, this Court conducted a *de novo*
6 review of this case. Having carefully reviewed the entire matter, this Court concludes the
7 Findings and Recommendations are supported by the record and by proper analysis. Accordingly,
8 the Court **ORDERS**:

- 9 1. The Findings and Recommendations (Doc. 141) are **ADOPTED** in full.
- 10 2. Defendant's motion to dismiss (Doc. 134) is **DENIED**.
- 11 3. Plaintiffs' sixth amended complaint filed on August 24, 2023 (Doc. 142) is
12 deemed the operative complaint.
- 13 4. Defendant **SHALL** have fourteen from the date of entry of this Order to respond
14 to the sixth amended complaint.
- 15 5. The action is referred to the assigned magistrate judge for further proceedings.

16
17 IT IS SO ORDERED.

18 Dated: September 8, 2023


UNITED STATES DISTRICT JUDGE