

1 to the findings and recommendations.

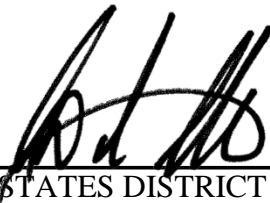
2 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), this Court has conducted a
3 *de novo* review of this case. Having carefully reviewed the file, the Court finds the findings and
4 recommendations to be supported by the record and proper analysis.

5 Accordingly,

- 6 1. The findings and recommendations issued on February 21, 2023, (ECF No. 44), are
7 ADOPTED in full;
- 8 2. Defendant Sullivan’s motion to dismiss, (ECF No. 38), is GRANTED in PART and
9 DENIED in PART;
- 10 3. Plaintiff is GRANTED leave to amend to file a fourth amended complaint. Plaintiff
11 SHALL file his fourth amended complaint within 30 days of the date of service of this
12 order; and
- 13 4. The matter is referred back to the Magistrate Judge for further proceedings.

14
15
16 IT IS SO ORDERED.

17 Dated: May 31, 2023


UNITED STATES DISTRICT JUDGE

18
19
20
21
22
23
24
25
26
27
28