

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

John Roe RJ 50,

Plaintiff,

VS.

DOE 1, et al.,

Defendants.

Case No. 1:24-CV-01545 JLT HBK

District Judge Jennifer L. Thurston
Magistrate Judge Helena M. Barch-Kuchta

[PROPOSED] ORDER GRANTING *EX PARTE* APPLICATION FOR AN ORDER NAMING DOE DEFENDANTS 1, 2, AND 3 BY THEIR TRUE NAMES PURSUANT TO FEDERAL RULE OF CIVIL PROCEDURE 10(a)

(Doc. 16)

Defendants have moved for an order naming Doe Defendants 1, 2, and 3 by their true names pursuant to Federal Rule of Civil Procedure 10(a). (Doc. 16.) The Declaration of Defense Counsel (Doc. 16-1) indicates that Plaintiff does not oppose the motion, and no opposition has been filed.

Generally, California Code of Civil Procedure 340.1(k)-(l) requires defendants alleged to have committed an act of childhood sexual assault to be named as Does until the plaintiff applies for permission to substitute the true names, which may only be granted if plaintiff's counsel certifies to the discovery of facts corroborating the allegations against the defendant. *See Roe JB 65, v. The Church of Jesus Christ of Latter-Day Saints, et al.*, No. 24-CV-02349-AJB-MSB, 2025 WL 720187, at *2 n.1 (S.D.

1:24-CV-01545-JLT-HBK

[PROPOSED] ORDER GRANTING EX PARTE TO NAME DOES PURSUANT TO
FED. R. CIV. P. 10(a)

1 Cal. Mar. 6, 2025) (noting prior grant of unopposed defense motion to name defendants). Here,
2 Defendants have deliberately waived the protections of Section 340.1 by revealing their identities in
3 filings before this Court and have acknowledged this waiver in the instant motion. Therefore, the Court
4 **GRANTS** the motion and **ORDERS** as follows:

5 1. Defendants Doe 1, Doe 2, and Doe 3 shall be deemed to be named by their true names as
6 of the date of filing of the Notice of Removal (ECF 1) as set forth below.

7 2. The Clerk of the Court is hereby directed to replace the name of Defendant Doe 1 on the
8 docket with “The Church of Jesus Christ of Latter-day Saints.”

9 3. All future pleadings and court orders shall identify the defendant sued as Doe 1 as “The
10 Church of Jesus Christ of Latter-day Saints.”

11 4. The Clerk of the Court is hereby directed to replace the name of Defendant Doe 2 on the
12 docket with “Temple Corporation of The Church of Jesus Christ of Latter-day Saints.”

13 5. All future pleadings and court orders shall identify the defendant sued as Doe 2 as
14 “Temple Corporation of The Church of Jesus Christ of Latter-day Saints.”

15 6. The Clerk of the Court is hereby directed to replace the name of Defendant Doe 3 on the
16 docket with “Fresno California East Stake of The Church of Jesus Christ of Latter-day Saints.”

17 7. All future pleadings and court orders shall identify the defendant sued as Doe 3 as “Fresno
18 California East Stake of The Church of Jesus Christ of Latter-day Saints.”

19
20 IT IS SO ORDERED.

21 Dated: March 11, 2025


UNITED STATES DISTRICT JUDGE