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IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

KATHLYN A. RHODES,

No. 2:09-cv-00489-MCE-KJN PS

Plaintiff,

vs.

ORDER

PLACER COUNTY, et al.,

Defendants.

On March 31, 2011, the magistrate judge filed findings and recommendations (ECF No. 120) herein which were served on the parties and which contained notice that any objections to the findings and recommendations were to be filed within fourteen days. No objections were filed.

Accordingly, the Court presumes that any findings of fact are correct. See Orand v. United States, 602 F.2d 207, 208 (9th Cir. 1979). The magistrate judge's conclusions of law are reviewed de novo. See Britt v. Simi Valley Unified School Dist., 708 F.2d 452, 454 (9th Cir. 1983).

The Court has reviewed the applicable legal standards and, good cause appearing, concludes that it is appropriate to adopt the Proposed Findings and Recommendations in full.

1           Accordingly, IT IS HEREBY ORDERED that:

2           1. The Proposed Findings and Recommendations (ECF. No. 120) filed March 31, 2011,  
3 are ADOPTED;

4           2. The motion to dismiss the claim for violation of California Civil Code § 43 is  
5 GRANTED as to moving defendant Sonia Marie Jackson, M.D. (“Jackson”) and the claim is  
6 DISMISSED with prejudice as against her;

7           3. The motion to dismiss claims for violations of California Civil Code §§ 45-46 is  
8 GRANTED as to moving defendants Jackson and David Fakhri, M.D. (“Fakhri”), and the claims  
9 are DISMISSED with prejudice as against them;

10          4. The motion to dismiss claims for violations of California Civil Code §§ 51 and 51.7  
11 are GRANTED as to moving defendants Jackson and Fakhri, and the claims are DISMISSED  
12 with prejudice as against them;

13          5. The motion to dismiss claims for violations of California Civil Code §§ 54, 54.1, and  
14 54.3 are GRANTED as to moving defendants Jackson and Fakhri, and those claims are  
15 DISMISSED with prejudice as against them;

16          6. The motion to dismiss claims for violation of California Civil Code § 52.1 is  
17 GRANTED as to moving defendant Jackson, and the claims are DISMISSED with prejudice as  
18 against her;

19          7. The motion to dismiss the claim for violation of California Civil Code § 1708 is  
20 GRANTED as to moving defendants Jackson and Fakhri, and that the claim is DISMISSED with  
21 prejudice as against them.

22          8. The motion to dismiss the “negligence per se” claim is GRANTED as to moving  
23 defendants Jackson and Fakhri, and the claim is DISMISSED with prejudice as against them;

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1           9. The motion to dismiss the false imprisonment claim is GRANTED as to moving  
2 defendants Jackson and Fakhri, and the claim is DISMISSED with prejudice as against them; and

3           10. The motion to dismiss the conversion claim is GRANTED as to moving defendants  
4 Jackson and Fakhri, and the claim is DISMISSED with prejudice as against them.

5 Dated: May 3, 2011

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8 MORRISON C. ENGLAND, JR.  
9 UNITED STATES DISTRICT JUDGE  
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