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

JOHN KENT,

Plaintiff,

No. CIV-S-09-2905 FCD KJN PS

vs.

CALIFORNIA DEPARTMENT OF
CONSUMER AFFAIRS, et al.,

ORDER

Defendants.

On June 11, 2010, the magistrate judge filed findings and recommendations 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. Plaintiff filed objections on June 25, 2010 (Dkt. No. 18) and, on July 12, 2010, filed untimely "First Amended Objections" (Dkt. No. 19). In an abundance of caution, the undersigned has considered both sets of objections filed by plaintiff.

This court reviews de novo those portions of the proposed findings of fact to which objection has been made. 28 U.S.C. § 636(b)(1); McDonnell Douglas Corp. v. Commodore Business Machines, 656 F.2d 1309, 1313 (9th Cir. 1981), cert. denied, 455 U.S. 920 (1982). As to any portion of the proposed findings of fact to which no objection has been made, the court

1 assumes its correctness and decides the motions on the applicable law. See Orand v. United
2 States, 602 F.2d 207, 208 (9th Cir. 1979). The magistrate judge's conclusions of law are
3 reviewed de novo. See Britt v. Simi Valley Unified School Dist., 708 F.2d 452, 454 (9th Cir.
4 1983).

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

7 Accordingly, IT IS ORDERED that:

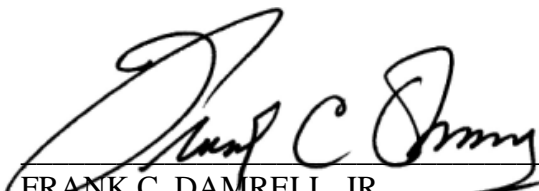
8 1. The Proposed Findings and Recommendations filed June 11, 2010, are ADOPTED;

9 2. Plaintiff's claims alleged against the California Department of Consumer Affairs and
10 the Contractors State Licensing Board are dismissed with prejudice and these defendants are
11 dismissed from this action;

12 3. Plaintiff's claims alleged against the remaining individual defendants are dismissed
13 with prejudice to the extent that plaintiff has alleged such claims against these individuals in
14 their official capacities; and

15 4. Plaintiff's tenth and eleventh claims for relief brought pursuant to 42 U.S.C. §§ 1985
16 and 1986, respectively, are dismissed with prejudice as to all defendants.

17 DATED: July 19, 2010.

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21 FRANK C. DAMRELL, JR.
22 UNITED STATES DISTRICT JUDGE
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