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Accordingly, IT IS HEREBY ORDERED that:

1. The findings and recommendations filed July 1, 2013 are adopted in full;
2. Plaintiff's motion for leave to file a surreply (ECF No. 102) is denied;
3. Defendants' motion to strike unauthorized surreply (ECF No. 101) is granted;
4. Defendant Byers's joinder (ECF No. 90) is granted;
5. Defendant's October 1, 2012 motion to dismiss (ECF No. 87) is granted in part;
6. Defendants Dr. Salmi and Byers are dismissed from this action; and
7. Plaintiff's second amended complaint is dismissed with leave to amend as to NP Kaur

only.

8. Plaintiff is granted thirty days to file an amended complaint against defendant NP Kaur; failure to file an amended complaint in accordance with this order may result in dismissal of this action.

DATED: September 12, 2013.



LAWRENCE K. KARLTON  
SENIOR JUDGE  
UNITED STATES DISTRICT COURT