

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

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

GORDON H. FLATTUM,

Plaintiff,

No. CIV S-11-2711 LKK GGH PS

vs.

STATE OF CALIFORNIA DEPARTMENT
OF CONSUMER AFFAIRS, et al.,

ORDER

Defendants.

_____ /

Plaintiff is proceeding in this action pro se and in forma pauperis. This proceeding was referred to this court by Local Rule 302(c)(21). On July 9, 2012, the district court adopted this court findings and recommendations which recommended denying defendant's motion to dismiss without prejudice and staying this action until the administrative proceedings in state court are concluded. Plaintiff has now filed a motion for leave to file a second amended complaint which indicates that the administrative proceedings are concluded. Defendants have not filed an opposition to the motion.

Accordingly, IT IS ORDERED that:

1. This action is no longer stayed.
2. Plaintiff's motion for leave to file a second amended complaint, filed February 25, 2013, (dkt. no. 24), is granted.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

3. Defendants shall file a response to the second amended complaint within
twenty-eight (28) days of this order.

DATED: April 8, 2013

/s/ Gregory G. Hollows
UNITED STATES MAGISTRATE JUDGE

GGH:076/Flattum2711.2am.wpd