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10 Attorneys for Defendants  
RUSS MULL, LESLIE MORGAN as Shasta  
11 County Assessor-Recorder, COUNTY OF  
SHASTA, BOARD OF SUPERVISORS OF  
12 THE COUNTY OF SHASTA and GLEN  
HAWES, and Cross-Claimants COUNTY OF  
13 SHASTA and COUNTY OF SHASTA for the  
People of the State of California  
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15 UNITED STATES DISTRICT COURT  
16 EASTERN DISTRICT OF CALIFORNIA

18 REVERGE ANSELMO and SEVEN  
HILLS LAND AND CATTLE  
19 COMPANY, LLC,

20 Plaintiffs,

21 v.

22 RUSS MULL, LESLIE MORGAN, a  
Shasta County Assessor-Recorder,  
23 COUNTY OF SHASTA, BOARD OF  
SUPERVISORS OF THE COUNTY  
24 OF SHASTA, LES BAUGH and  
GLEN HAWES,

25 Defendants.  
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Case No. 2:12-cv-01422-WBS-EFB  
*Related to Case No. 2:12-CV-00361*  
Judge: Honorable William B. Shubb

**ORDER GRANTING MOTION TO  
MODIFY ORDER DISMISSING  
CLAIMS AGAINST THE UNITED  
STATES AND UNITED STATES  
ARMY CORPS OF ENGINEERS  
EMPLOYEES NANCY HALEY,  
MATTHEW RABBE, AND  
MATTHEW KELLEY**

*[Filed concurrently with Notice of  
Motion and Motion to Amend; and  
Declaration of Christopher Pisano]*

1 COUNTY OF SHASTA, and  
2 COUNTY OF SHASTA, for the  
People of the State of California,

3 Cross-Claimants,

4 v.

5 REVERGE ANSELMO; SEVEN  
6 HILLS LAND AND CATTLE  
COMPANY LLC; NANCY HALEY,  
7 MATTHEW RABE, MATTHEW  
KELLEY, ANDREW JENSEN; and  
8 ROES 1 THRU 50,

9 Cross-Defendants.


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11 The Court having reviewed having read and considered the papers submitted  
12 by the parties, and finding good cause therefore, Orders that its September 21, 2012  
13 Order of Dismissal will be changed to read as follows:

14 On August 6, 2012, the Court granted the United States' motion to dismiss  
15 the claims asserted by Shasta County in its First Amended Cross-Complaint against  
16 the United States, with the United States having substituted itself as the third party  
17 defendant for the named Army Corps of Engineers employees Nancy Haley,  
18 Matthew Rabbe and Matthew Kelley ("Army Corps Employees") pursuant to 28  
19 U.S.C. Section 2679(d)(2). (See Docket No. 4 and Docket No. 33 at 4.) The Court  
20 granted the United States' motion pursuant to Fed. R. Civ. P. 12(b)(6), but gave  
21 Shasta County twenty days from the date of the Court's Order to file an amended  
22 complaint, if it could do so consistent with the Court's Order. (See Docket No. 33.)  
23 Shasta County did not filed an amended complaint as to third party defendant  
24 United States within twenty days of the Court's August 6, 2012 Order.  
25 Accordingly, the Court dismisses Shasta County's claims against the United States,  
26 with prejudice. This Order of Dismissal is as to the United States only, and is not  
27 as to the Army Corps Employees.

28 IT IS THEREFORE ORDERED that Shasta County's motion to modify the

1 order dismissing claims (Docket No. 81) be, and the same hereby is, GRANTED  
2 and the hearing on November 5, 2012 is vacated.

3 DATED: October 24, 2012  
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6 WILLIAM B. SHUBB  
7 UNITED STATES DISTRICT JUDGE  
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