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2. Dr. Khaira’s Motion to Dismiss (ECF No. 92) is granted, and:

A. To the extent that it is pled against Dr. Khaira, Plaintiff’s Section 1983 claim is dismissed without prejudice;

B. To the extent that it is pled against Dr. Khaira, Plaintiff’s retaliation claim is dismissed without prejudice; and

C. Plaintiff’s prayer for punitive damages pursuant to his state law medical malpractice claim is dismissed with prejudice.

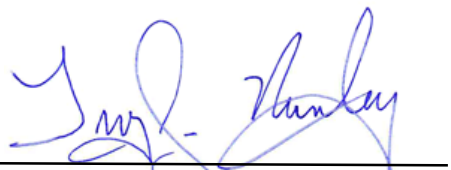
3. Dr. Aguilera and Dr. Haile’s Motion to Dismiss (ECF No. 103) is granted.

4. Dr. Aguilera and Dr. Haile are dismissed with prejudice as Defendants in this action.

5. Plaintiff is granted thirty days to file a second amended complaint that complies with this order, the requirements of the Civil Rights Act, the Federal Rules of Civil Procedure, and the Local Rules of Practice. The second amended complaint must also bear the docket number assigned to this case and must be labeled “Second Amended Complaint.”

IT IS SO ORDERED.

Dated: September 11, 2015



Troy L. Nunley
United States District Judge