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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

WILLIAM J WHITSITT,
Plaintiff,
v.
HEDY HOLMES STAFFING SERVS., et
al.,
Defendants.

No. 2:13-cv-0117 MCE AC

ORDER

Plaintiff is proceeding in this action in pro per. The matter was referred to a United States Magistrate Judge pursuant to Local Rule 302(c)(21).

On October 7, 2014, the magistrate judge filed findings and recommendations herein which were served on all parties and which contained notice to all parties that any objections to the findings and recommendations were to be filed within fourteen days. ECF No. 33. Plaintiff has filed objections to the findings and recommendations. ECF No. 34. Defendants San Joaquin County WorkNet and Mike Sansone have also filed an opposition to plaintiff's objections. ECF No. 35.

In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C) and Local Rule 304, this court has conducted a de novo review of this case. Having carefully reviewed the entire file, the court finds the findings and recommendations to be supported by the record and by proper

1 analysis.

2 Accordingly, IT IS HEREBY ORDERED that:

3 1. The findings and recommendations filed October 7, 2014, are adopted in full; and

4 2. WorkNet's June 30, 2014, motion to dismiss (ECF No. 16) is granted as follows:

5 a. Plaintiff's claim(s) against defendant Mark Sansone under the ADEA are
6 dismissed with prejudice;

7 b. Plaintiff's claims against WorkNet and non-ADEA claims against Sansone are
8 dismissed with leave to amend;

9 3. Plaintiff's claim(s) under the ADEA against "Kathleen" are dismissed *sua sponte*
10 pursuant to 28 U.S.C. 1915(e), with prejudice; and

11 4. Plaintiff's remaining claims against the non-moving defendants are dismissed *sua*
12 *sponte* pursuant to 28 U.S.C. 1915(e), with leave to amend.

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14 Dated: December 4, 2014

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MORRISON C. ENGLAND, JR., CHIEF JUDGE
UNITED STATES DISTRICT COURT

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