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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

LILIYA WALSH, et al.,

 Plaintiffs,

 v.

AMERICAN MEDICAL RESPONSE, et
al.,

 Defendants.

No. 2:13-cv-2077-MCE-KJN-PS

ORDER

On May 20, 2014, the magistrate judge filed findings and recommendations herein which were served on the parties and which contained notice that any objections to the findings and recommendations were to be filed within fourteen days. No objections were filed.

Accordingly, the court presumes that any findings of fact are correct. See Orand v. United States, 602 F.2d 207, 208 (9th Cir. 1979). The magistrate judge’s conclusions of law are reviewed de novo. See Britt v. Simi Valley Unified School Dist., 708 F.2d 452, 454 (9th Cir. 1983).

The court has reviewed the applicable legal standards and, good cause appearing, concludes that it is appropriate to adopt the Proposed Findings and Recommendations in full.

Accordingly, IT IS ORDERED that:

- 1. The Proposed Findings and Recommendations filed May 20, 2014, are ADOPTED.

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1 2. Defendants' motions to dismiss (ECF Nos. 8, 17, 18, 21, 33) is granted to the extent
2 outlined below.

3 3. **Peter Walsh's** claims pursuant to 42 U.S.C. § 1983 (causes of action 1 and 2) are
4 dismissed **without leave to amend** as to all defendants.

5 4. **Liliya Walsh's** claims pursuant to 42 U.S.C. § 1983 (causes of action 1 and 2) are
6 dismissed **without leave to amend** insofar as they are alleged against Rocklin Police Department.

7 5. **Liliya Walsh's** claims pursuant to 42 U.S.C. § 1983 (causes of action 1 and 2) are
8 dismissed **with leave to amend** insofar as they are alleged against Sutter, Telecare and Placer
9 County.

10 6. **Both plaintiffs'** requests for punitive damages against defendants Rocklin Police
11 Department and Placer County are dismissed **without leave to amend**.

12 7. The following state-law causes of action are dismissed **without leave to amend** as to all
13 defendants insofar as they are alleged by **Peter Walsh**: false arrest/false imprisonment (claims 3
14 and 4), battery (claim 5), assault (claim 6), defamation (claim 9), medical malpractice (claim 11),
15 and the three causes of action for violations of the LPS Act (claims 10, 14, 15).

16 8. All state-law causes of action alleged by **Peter Walsh** against Rocklin Police
17 Department and Placer County are dismissed **without leave to amend**.

18 9. **Peter Walsh's** seventh (intentional infliction of emotional distress), eighth (negligent
19 infliction of emotional distress), and thirteenth ("misrepresentation") causes of action are
20 dismissed **with leave to amend** insofar as those claims are asserted against Sutter, Telecare and
21 AMR.

22 10. **Both plaintiffs'** twelfth cause of action for "conspiracy" are dismissed **without leave**
23 **to amend** with respect to all defendants insofar as plaintiffs allege the existence of a conspiracy
24 as a standalone cause of action.

25 11. **Liliya Walsh's** state-law claims against Placer County (causes of action 7, 8 10, 13,
26 14, 15) are dismissed **with leave to amend**.

27 12. **Liliya Walsh's** state-law claims against Rocklin Police Department (causes of action
28 3, 4, 7, 8, 9, 10) are dismissed **with leave to amend**.

1 13. **Liliya Walsh's** state-law claims against Sutter (causes of action 3, 4, 5, 6, 7, 8 10, 11,
2 13, 14, 15) are dismissed ***with leave to amend.***

3 14. **Liliya Walsh's** state-law claims against Telecare (causes of action 3, 4, 6, 7, 8 10, 11,
4 13, 14, 15) are dismissed ***with leave to amend.***

5 15. **Liliya Walsh's** state-law claims against AMR (causes of action 3, 4, 7, 8, 9, 10, 11,
6 13, 14, 15) are dismissed ***with leave to amend.***

7 Dated: June 25, 2014

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