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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

RICHARD GIDDENS,
Plaintiff,
v.
SUISUN CITY, et al.,
Defendants.

No. 2:14-cv-0943 TLN AC (PS)

ORDER

Plaintiff, proceeding pro se, filed the above-entitled action. The matter was referred to a United States Magistrate Judge by Local Rule 302(c)(21).

On February 5, 2016, the magistrate judge filed amended 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 twenty-one days. (ECF No. 46.) Neither party has filed objections to the findings and recommendations.

The Court has reviewed the file and finds the findings and recommendations to be supported by the record and by the magistrate judge’s analysis. Accordingly, IT IS HEREBY ORDERED that:

1. The amended findings and recommendations filed February 5, 2016 (ECF No. 46), are ADOPTED in full;
2. Plaintiff’s Motion to Amend (ECF No. 38), is GRANTED in part and DENIED in part,

1 and the proposed Second Amended Complaint (ECF No. 39), is DEEMED to be the operative
2 complaint, as follows:

- 3 a. There being no allegations against proposed Defendants Bragdon, Segala, Wilson
4 and Taylor, the Motion to Amend is DENIED to the degree it seeks to add them as
5 Defendants on any claim;
- 6 b. The Motion to Add Claims 13 and 14 (intentional and negligent infliction of
7 emotional distress), is GRANTED;
- 8 c. The Motion to Add Claim 15 (Unruh Act), is GRANTED as to all current and
9 proposed Defendants other than Bragdon, Segala, Wilson, Taylor and Sanchez,
10 and this claim is CONSTRUED to be based upon Plaintiff's political affiliation;
11 and
- 12 d. The Motion to Amend the Equal Protection, conspiracy and neglect to prevent
13 conspiracy claims is DENIED, and those claims (Claims 3, 5 and 6), are deemed
14 dismissed in accordance with the court's order (ECF No. 37);

15 3. Except as stated above, the Motion to Amend and to add Defendants (other than
16 Bragdon, Segala, Wilson and Taylor), is GRANTED, and the action will proceed on the
17 following claims of the Second Amended Complaint:

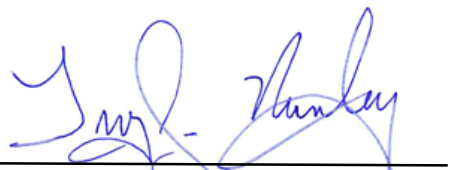
- 18 a. Claim 1, against Dadisho, Mattos, White and Urlaub;
- 19 b. Claim 2, against Mattos and Urlaub;
- 20 c. Claim 4, against the City, Dadisho and Urlaub;
- 21 d. Claim 7, against the City, City Council, Police Department, Sanchez, Dadisho,
22 Mattos and White;
- 23 e. Claim 8, against Bluford;
- 24 f. Claims 9 and 10, against Mattos and Urlaub;
- 25 g. Claims 11 and 12, against Bluford;
- 26 h. Claims 13 and 14, against Bluford, Mattos and Urlaub; and
- 27 i. Claim 15, against the City, City Council, Police Department, Dadisho, Mattos,
28 White, Day, Hudson and Bluford;

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4. Plaintiff is ordered to serve the Second Amended Complaint on Defendants Sanchez, Day and Hudson; and

5. All remaining Defendants are ordered to file a responsive pleading to the Second Amended Complaint no later than 30 days after the date of this Order, except that new Defendants Sanchez, Day and Hudson shall file a responsive pleading within the time provided by the Federal Rules of Civil Procedure.

Dated: March 22, 2016



Troy L. Nunley
United States District Judge