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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

PETER T. HARRELL,  
Plaintiff,  
v.  
HORN BROOK COMMUNITY  
SERVICES DISTRICT, et al.  
Defendants.

No. 2:14-cv-01595 KJM GGH PS

ORDER

On May 31, 2016 plaintiff filed a Second Amended Complaint. The Court, having reviewed that Complaint makes the following orders:

1. Defendants shall file a response to this pleading twenty (20) days from the date this Order is filed;
2. If defendants elect to respond by way of Answer they need not specifically admit or deny the non-jurisdictional allegations in the 164 page Amended Complaint. Rather the allegations comprising the factual background and claims will be deemed denied by the Court.
3. Any answering defendant must, however, specifically set forth applicable affirmative defenses they rely upon;

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4. This Order is effective in the event a defendant makes a motion to dismiss, which is denied, and a later answer is required, i.e., the allegations comprising the factual background and claims will be deemed denied in this circumstance as well;

5. Whether the deemed denied factual allegations address material facts for purposes of any summary judgment motion is a matter for later adjudication in the event such a motion is made. Any contested issues of material fact will, of course, be decided at trial.

**IT IS SO ORDERED.**

Dated: June 9, 2016

/s/ Gregory G. Hollows  
UNITED STATES MAGISTRATE JUDGE

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