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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

TIMOTHY DEMARTINI, et al.,  
Plaintiff,  
v.  
MICHAEL J. DEMARTINI, et al.,  
Defendant.

No. 2:14-cv-2722 JAM CKD PS

ORDER

Plaintiff filed the above-entitled action. The matter was referred to a United States Magistrate Judge pursuant to Local Rule 302(c).

On May 1, 2017, the magistrate judge filed findings and recommendations herein which were served on the parties and which contained notice to the parties that any objections to the findings and recommendations were to be filed within fourteen days. None of the parties have filed objections to the findings and recommendations; however, defendants have filed a response.

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 findings and recommendations filed May 1, 2017, are adopted in full;
2. The motion to amend the complaint (ECF No. 195) is granted;
3. The Clerk of Court is directed to separately file and docket the proposed second

1 amended complaint (ECF No. 195-1 at pp. 8-16, Declaration of Peter Kleinbrodt, Exh. B);

2 4. The third cause of action for dissolution of partnership in the second amended  
3 complaint is severed from the remaining claims; and

4 5. The severed claim for dissolution of partnership is remanded to the Superior Court of  
5 the State of California, in and for the County of Nevada (case no. 80744).

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7 **DATED:** May 31, 2017

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/s/ John A. Mendez

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HON. JOHN A. MENDEZ

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United States District Judge

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