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**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA**

BEATRICE PHILLIPS,  
Plaintiff,  
vs.

FREMONT-RIDEOUT HEALTH GROUP,  
Defendant.

) Case No. 2:15-cv-00955-JAM EFB  
)  
) Assigned for All Purposes To:  
) Judge: John A. Mendez  
)

) **ORDER GRANTING IN PART AND  
) DENYING IN PART DEFENDANT  
) FREMONT-RIDEOUT HEALTH  
) GROUP'S MOTION FOR SUMMARY  
) JUDGMENT**  
)

) Date: February 21, 2017  
) Time: 1:30 P.M.  
)

1 The motion of defendant Fremont-Rideout Health Group for summary judgment came on  
2 regularly for hearing before this Court on February 21, 2017. Anthony M. Bettencourt appeared as  
3 attorney for plaintiff Beatrice Phillips; Mark H. Van Brussel appeared as attorney for defendant and  
4 moving party Fremont-Rideout Health Group.

5 After considering the moving and opposition papers, arguments of counsel and all evidence  
6 and other matters presented to the Court,

7 IT IS HEREBY ORDERED that defendant's motion is GRANTED as to plaintiff's first  
8 count for violation of Title III of the Americans With Disabilities Act, 42 U.S.C. § 12182(a), on  
9 jurisdictional grounds.

10 IT IS FURTHER ORDERED that defendant's motion is DENIED as to plaintiff's second  
11 count for violation of California's Unruh Civil Rights Act (California Civil Code sections 51 et  
12 seq.).

13 IT IS FURTHER ORDERED that the Court in its discretion will retain supplemental  
14 jurisdiction over plaintiff's state Unruh Civil Rights Act claim.

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16 Dated: March 1, 2017

/s/ John A. Mendez  
Hon. John A. Mendez  
United States District Court Judge

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