

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Accordingly, IT IS HEREBY ORDERED that:


1. The findings and recommendations filed July 25, 2023, are adopted in full.

2. The claims identified as defective in the July 25, 2023, findings and recommendations are dismissed, resulting in the dismissal of the following as defendants to this action: (1) Sergeant J. Biggs, Correctional Officer; (2) A. Adams, (3) Chief Medical Executive; (4) Doe White, Medical Doctor; (5) San Joaquin General Hospital; (6) Doe Ko, Medical Doctor; (7) N. Malakkla, Medical Doctor; (8) D. Chandan, Supervising Registered Nurse III; (9) M. Cross, Health Care Appeal Registered Nurse; (10) R. Hewit, Health Care Records Director; (11) R. Recarey, Chief Executive Officer; (12) J. Lewis, Chief Executive Officer; (13) San Joaquin Kidney Clinic; (14) Irene Doe, Davita Inc. Technician; (15) C. Russell, Davita Inc. Record Analyst; (16) S. Davis, Davita Inc. Record Analyst; (17) Davita Healthcare, Inc.; (18) Total Renal Care, Inc.; and California Department of Corrections and Rehabilitation (CDCR).

3. This action shall proceed on the fourth amended complaint on Plaintiff's claims identified in the Court's July 25, 2023, service order, ECF No. 57, as cognizable.

4. This case is referred back to the Magistrate Judge for further pre-trial proceedings.

Dated: September 8, 2023



WILLIAM B. SHUBB
UNITED STATES DISTRICT JUDGE