

1 time period for filing an amended complaint was triggered by Judge Mendez's adoption of the
2 undersigned's Findings and Recommendations. ECF No. 45. Plaintiff has 30 days from the date
3 of the adoption to file an amended complaint; no motion to amend is necessary.

4 Accordingly, IT IS HEREBY ORDERED that:

- 5 1. Plaintiff's motion to amend (ECF No. 42) is DENIED as premature and improperly filed;
- 6 2. Defendant's motion to dismiss (ECF No. 43) and motion to strike (ECF No. 44) are
7 DENIED as moot and the hearing set for these matters is VACATED;
- 8 3. Plaintiff may file an amended complaint, amending claims only as to the County in
9 accordance with the Findings and Recommendations at ECF No. 39, without filing a
10 motion to amend. The amended complaint is due on or before October 28, 2018.

11 IT IS SO ORDERED

12 DATED: October 1, 2018

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14 ALLISON CLAIRE
15 UNITED STATES MAGISTRATE JUDGE
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