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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

ARMOND SARKIS,

Plaintiff,

v.

YOLO COUNTY PUBLIC AGENCY
RISK MANAGEMENT INSURANCE
AUTHORITY, et al.,

Defendants.

No. 2:21-cv-01097-TLN-JDP

ORDER

On September 12, 2022, the magistrate judge filed findings and recommendations herein which were served on the parties and which contained notice that any objections to the findings and recommendations were to be filed within fourteen days. (ECF No. 18.) No objections were filed.

The Court presumes that any findings of fact are correct. *See Orand v. United States*, 602 F.2d 207, 208 (9th Cir. 1979). The magistrate judge’s conclusions of law are reviewed de novo. *See Robbins v. Carey*, 481 F.3d 1143, 1147 (9th Cir. 2007) (“[D]eterminations of law by the magistrate judge are reviewed de novo by both the district court and [the appellate] court[.]”). Having reviewed the file, the Court finds the findings and recommendations to be supported by the record and by the proper analysis.

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Accordingly, IT IS HEREBY ORDERED that:

1. The Findings and Recommendations filed September 12, 2022 (ECF No. 18) are ADOPTED in full.

2. Defendants' Motion to Dismiss (ECF No. 7) is GRANTED in part and DENIED in part as follows:

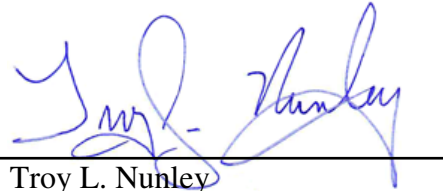
a. Plaintiff's official capacity claims against Defendants Cook and Martinez are DISMISSED without leave to amend.

b. Plaintiff's Title VII, ADEA, and retaliation and discrimination claims under the FEHA against Defendant Cook in her individual capacity are DISMISSED without leave to amend.

c. The balance of the motion is DENIED, and this action shall proceed on Plaintiff's FEHA hostile work environment claim against Defendant Cook in her individual capacity and Plaintiff's Title VII, ADEA, and the FEHA claims against Defendant Yolo.

3. Defendants Yolo and Cook are directed to file an answer within fourteen days of the electronic filing date of this Order.

DATED: September 30, 2022



Troy L. Nunley
United States District Judge