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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

MICHAEL A. BRUZZONE,  
Plaintiff,  
v.  
INTEL CORPORATION,  
Defendant.

No. 2:21-cv-01539-TLN-CKD

**ORDER**

This matter was referred to a United States Magistrate Judge pursuant to Local Rule 302. On November 15, 2021, the magistrate judge filed findings and recommendations herein which contained notice that any objections to the findings and recommendations were to be filed within fourteen days. (ECF No. 17.) Plaintiff filed objections to the findings and recommendations and defendant filed a response to the objections. (ECF Nos. 18, 19.)

In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C) and Local Rule 304, this Court has conducted a review of this case. Having carefully reviewed this matter, the Court finds the findings and recommendations to be supported by the record and by proper analysis.

Accordingly, IT IS HEREBY ORDERED:

- 1. The findings and recommendations filed November 15, 2021 (ECF No. 17) are adopted in full;

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- 1           2. Defendant’s motion to dismiss (ECF No. 6) is GRANTED and Plaintiff’s complaint is  
2           dismissed without leave to amend;
- 3           3. Defendant’s motion to declare Plaintiff a vexatious litigant (ECF No. 7) is  
4           GRANTED;
- 5           4. Plaintiff is declared a vexatious litigant and must submit for pre-filing review any *pro*  
6           *se* complaint to be filed in the Eastern District of California against Intel Corporation;
- 7           5. The Court ISSUES the following pre-filing order:
  - 8               a. Any future filing of any kind by Plaintiff in the United States District Court for  
9               the Eastern District of California shall contain the following words in all capital  
10              letters at the top of the front page: “PLAINTIFF HAS BEEN DECLARED A  
11              VEXATIOUS LITIGANT IN CASE NO. 2:21-cv-1539-TLN-CKD-PS.” If a  
12              proposed filing does not contain that heading, the Clerk of the Court shall lodge  
13              (not file) it and the Court shall not review it; any incomplete filings shall be  
14              returned to Plaintiff without further action of the Court;
  - 15              b. If Plaintiff submits an action as a self-represented Plaintiff accompanied by the  
16              required heading, then the Clerk of the Court is directed to open the matter as a  
17              miscellaneous case to be considered by the General Duty Judge of this Court. The  
18              Duty Judge shall determine whether the case constitutes *pro se* litigation by  
19              Plaintiff against Intel; if so, then the Duty Judge shall dismiss the action without  
20              comment pursuant to this pre-filing order. If the complaint does not constitute *pro*  
21              *se* litigation by Plaintiff against Intel, then the Duty Judge shall order the Clerk to  
22              file the complaint as normal;
  - 23              c. The requirements of subparagraphs (a) and (b) shall be waived if Plaintiff’s  
24              filing is made on his behalf by a licensed attorney at law in good standing who  
25              signs the filing as the attorney of record for Plaintiff; and
- 26          6. The Clerk of the Court is directed to close this case.

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1 **DATED: January 10, 2022**

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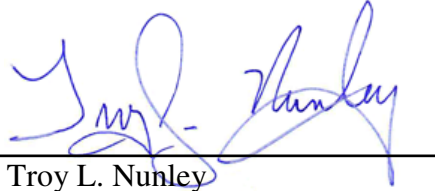
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Troy L. Nunley  
United States District Judge