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United States District Court  
For the Northern District of California

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

CHERYL COTTERILL,

Plaintiff,

No. C 08-02295 JSW

v.

SF CITY AND COUNTY, ET AL.,

Defendants.

**ORDER GRANTING REGENTS  
DEFENDANTS’ MOTION TO  
DISMISS EIGHTEENTH AND  
NINETEENTH CAUSES OF  
ACTION**

Now before the Court is the motion to dismiss the eighteenth and nineteenth causes of action for injunctive and declaratory relief filed by Defendant The Regents of California and the Regents Defendants (collectively “The Regents”). Having considered the parties’ pleadings, relevant legal authority, and having had the benefit of oral argument, for the reasons set forth in the remainder of this Order, the Court GRANTS The Regents’ motion to dismiss.

The Regents move to dismiss the remaining causes of action against them, for injunctive and declaratory relief. Despite permitting Plaintiff numerous opportunities to amend her complaint, the rest of the substantive causes of action against The Regents have been dismissed without leave to amend. The eighteenth and nineteenth claims for injunctive and declaratory relief are remedies, not independent causes of action. Accordingly, they depend on the existence of some substantive basis of liability. *See, e.g., Serrano v. Security National Mortgage Co.*, 2009 WL 2524528, \*6 (S.D. Cal. Aug. 14, 2009) (dismissing claims for injunctive and declaratory relief where remaining substantive causes of action are dismissed);

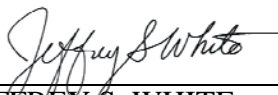
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*see also C.F. v. Capistrano Unified School District*, 2009 WL 2514075, \*10 (C.D. Cal. July 27, 2009) (dismissing claim for declaratory relief because court addressed the substantive causes of action).

The motion to dismiss the eighteenth and nineteenth causes of action for injunctive and declaratory relief filed by The Regents is GRANTED. The Regents Defendants are dismissed. Plaintiff does not have leave to file a fourth amended complaint.

**IT IS SO ORDERED.**

Dated: August 25, 2009

  
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JEFFREY S. WHITE  
UNITED STATES DISTRICT JUDGE