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28**NOT FOR CITATION**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
EUREKA DIVISION

HANS KARL ASHBAUCHER, et al.,

No. CV 08-2840 MHP (NJV)

Plaintiffs,

**ORDER GRANTING PLAINTIFFS'
MOTION FOR ENTRY OF THE THIRD
AMENDED COMPLAINT**

v.

CITY OF ARCATA, et al.,

(Docket No. 156)

Defendants.

Plaintiffs have moved to enter a Third Amended Complaint to comply with the district court's order adopting in its entirety this Court's Report and Recommendation to grant in part with leave to amend and deny in part Defendants' motion to dismiss the action. Doc. Nos. 156, 155, and 149. The district court has referred all pretrial and non-dispositive proceedings to this Court pursuant to Federal Rule of Civil Procedure 72(a). Doc. No. 70.

Plaintiffs indicate that they have met and conferred with Defendants and that Defendants do not oppose entry of the Third Amended Complaint. Defendants have not filed an opposition. The Court has considered Plaintiffs' unopposed Motion for Entry of the Third Amended Complaint, and for good cause shown, the Court hereby GRANTS Plaintiffs' motion. Plaintiffs are instructed to file their Third Amended Complaint within 14 days of the filing of this order.

IT IS SO ORDERED.

Dated: February 11, 2011



NANDOR J. VADAS
United States Magistrate Judge