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

OSMAN YOUSIF,

Plaintiff,

No. C 15-04887 WHA

v.

COUNTY OF SAN MATEO, SHERIFF
GREG MUNKS, DEPUTY CHRIS
LOUBAL, DEPUTY CHRIS LAUGHLIN,
DEPUTY DeFRANCE McLEMORE,
CITY OF MENLO PARK, OFFICER
CHRIS ADAIR, and DOES 1–100,

Defendants.

RULE 54(b) JUDGMENT


An order dismissed all claims against certain defendants, but allowed plaintiff to seek leave to amend those claims (Dkt. No. 54). Plaintiff declined to seek leave to amend. An order dismissed all claims against those defendants for lack of prosecution (Dkt. No. 62). Pursuant to Rule 54(b) and in accordance with *Continental Airlines, Inc. v. Goodyear Tire & Rubber Co.*, 819 F.2d 1519, 1525 (9th Cir. 1987), this order finds there is no just reason for delaying the entry of judgment against those defendants, because the dismissal for lack of prosecution does not overlap with the remaining issues in the case, and because those defendants seek to apply their dismissal herein as *res judicata* in a subsequent case based on the same facts also pending before the undersigned.

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Accordingly, **FINAL JUDGMENT IS HEREBY ENTERED** in favor of the City of Menlo Park, the County of San Mateo, Sheriff Greg Munks, and Deputy Sheriff Chris Laughlin and against plaintiff Osman Yousif.

IT IS SO ORDERED.

Dated: January 25, 2017.



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE