

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

FERNANDO YATES,  
Plaintiff,

v.

WEST CONTRA COSTA UNIFIED  
SCHOOL DISTRICT,  
Defendant.

Case No. [16-cv-01077-MEJ](#)

**ORDER DENYING MOTION FOR  
RECONSIDERATION**

Re: Dkt. No. 80

Plaintiff Fernando Yates has not sued any individuals in this case; the only defendant in this action is a governmental entity. Acts by Mr. Luongo, Mr. Wittemore, and Ms. Cotton cannot give rise to punitive damages against West Contra Costa Unified School District here because “[p]unitive damages are not available against a governmental entity in California under the statutes that form the basis of Plaintiff’s claims.” *See* Order at 1 (citing cases), Dkt. No. 76.

Plaintiff’s Motion for Reconsideration (Dkt. No. 80) and addendum thereto (Dkt. No. 81) are **DENIED**.

**IT IS SO ORDERED.**

Dated: February 22, 2017

  
\_\_\_\_\_  
MARIA-ELENA JAMES  
United States Magistrate Judge

United States District Court  
Northern District of California