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United States District Court
For the Northern District of California

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

PATRICK A MISSUD,

No. C-11-03567 (DMR)

Plaintiff(s),

**ORDER SEVERING SECURITIES AND
EXCHANGE COMMISSION, MARY
SHAPIRO, AND UNITED STATES**

v.

NEVADA STATE OF,

Defendant(s).

_____ /

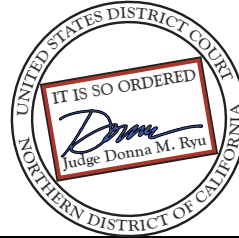
Rule 20 of the Federal Rules of Civil Procedure, in relevant part, permits a plaintiff to join multiple defendants into one action if “(A) any right to relief is asserted against them . . . arising out of the same transaction, occurrence, or series of transactions or occurrences; and (B) any question of law or fact common to all defendants will arise in the action.” Fed. R. Civ. P. 20(a)(2). When determining whether defendants are joined properly, the court should “liberally construe[] [the requirements] in the interest of convenience and judicial economy in a manner that will secure the just, speedy, and inexpensive termination of the action.” *Call of the Wild Movie, LLC v. Does 1-1,062*, No. 10-455, 2011 WL 996786 (D.D.C. Mar. 22, 2011) (citation & quotation marks omitted); see *United Mine Workers of Am. v. Gibbs*, 383 U.S. 715, 724 (1966); *Diabolic Video Prods., Inc.*, No. 10-CV-5865, at *5. If defendants do not satisfy the test for permissive joinder, the court may sever the misjoined parties, “so long as no substantial right will be prejudiced by the severance.”

1 *Coughlin v. Rogers*, 130 F.3d 1348, 1350 (9th Cir. 1997) (citation omitted); *see* Fed. R. Civ. P. 21
2 (“Misjoinder of parties is not a ground for dismissing an action.”).

3 The claims that Plaintiff brings against Defendants Mary Shapiro, the Securities and
4 Exchange Commission, and the United States stem from issues of law and fact distinct from the
5 claims asserted against other defendants. In the interest of convenience and judicial economy, the
6 court therefore orders that these parties be severed from this case.

7 IT IS SO ORDERED.

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9 Dated: January 5, 2012



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11 DONNA M. RYU
United States Magistrate Judge

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