


1 Brooks, "Plaintiff stated that he had no objection to Defendants' Motion and also agreed to dismiss
2 both [Defendant] Cate and [Defendant] Small." (Doc. No. 33 at 1.) Therefore the Court **ADOPTS**
3 the Report and Recommendation and **DISMISSES** Defendants Cate and Small.

4 IT IS SO ORDERED.

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6 DATED: June 16, 2010

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9 Honorable Janis L. Sammartino
10 United States District Judge
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