

1 KAREN P. HEWITT
 United States Attorney
 2 MELANIE A. ANDREWS
 Special Assistant U.S. Attorney
 3 28 U.S.C. § 543
 Office of the U.S. Attorney
 4 Federal Office Building
 880 Front Street, Room 6293
 5 San Diego, CA 92101-8893
 Telephone: (619) 557-7460
 6 melanie.andrews@usdoj.gov

7 Attorneys for the John Sargent,
 James Moree, Dan O'Brien, and
 8 the United States of America

9
 10 UNITED STATES DISTRICT COURT
 11 SOUTHERN DISTRICT OF CALIFORNIA

12 NOIDA HERNANDEZ, ROMMIE)
 HERNANDEZ, a minor, and REMIE)
 13 HERNANDEZ, a minor, by and through)
 their Guardian as Litem, Raymunda)
 14 Chilcutt, individually and as successors in)
 interest to decedent Romeo J. Hernandez)

15 Plaintiffs,)
 16)

17 v.)

18 LUCIA PAMPLONA, JEREMIAH)
 VINCENT PAMPLONA, DAVID)
 HURLEY, JAMES MOREE, JOHN)
 19 SARGENT, DAN O'BRIEN, BRYAN)
 PINE individually and dba PINE RENTAL)
 20 SERVICE, MARCUS GUERRERO, JLG)
 INDUSTRIES, INC. and DOES 1 through)
 21 100, inclusive,)

22 Defendants.)
 23)

Case No. 08cv2213 IEG(BLM)

**ORDER OF SUBSTITUTION
 OF UNITED STATES OF AMERICA AS
 DEFENDANT, AMENDMENT AND
 DISMISSAL**

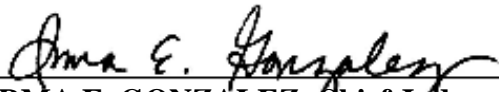
24 Upon review and consideration of the Notice of Substitution of United States of America filed
 25 herein by the United States of America and it appearing to the Court that this is a tort action that
 26 includes claims against Department of Navy employees arising out of actions certified by the Attorney
 27 General of the United States to have been taken within the scope of their employment as federal
 28 employees,

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IT IS ORDERED, pursuant to 28 U.S.C. § 2679(d), that the United States of America shall be substituted as a Defendant herein, in place of James Moree, Dan O'Brien and John Sargent, and the case is hereby dismissed as to them, and that the title of the action be amended accordingly.

DATED: February 5, 2009


IRMA E. GONZALEZ, Chief Judge
United States District Court