

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

CHRISTOPHER-JAMES WALDORF,

Civil No. 17-107 (JRT/LIB)

Plaintiff,

v.

**AMENDED ORDER ADOPTING
REPORT
AND RECOMMENDATION**

MARK DAYTON, LORI SWANSON,
WILLIAM J. CASHMAN, RACHEL
SCHMIDT, JANELLE P. KENDALL,
KYLE TRIGGS, GEORGE LOCK, and
JOHN L. SANNER, *individually and in
their official capacities*, J. FREIHAMMER,
NATE KYOLLO, and JANE and JOHN
DOES, *in their official capacities*, and
JANE AND JOHN ROES, *individually as
spouses or married partners of named
Defendants*, CODY VOJACEK,
individually and in his official capacity,

Defendants.

Christopher-James Waldorf, 56 33rd Avenue South, #132, St. Cloud, MN 56301, *pro se*.

Kathryn Iverson Landrum, Assistant Attorney General, **MINNESOTA ATTORNEY GENERAL'S OFFICE**, 445 Minnesota Street, Suite 1100, Saint Paul, MN 55101, for Defendants Mark Dayton, Lori Swanson, William J. Cashman, Rachel Schmidt, and George Lock.

Cally R. Kjellberg-Nelson, **QUINLIVAN & HUGHES, PA**, P.O. Box 1008, St. Cloud, MN 56302, for Defendants Janelle P. Kendall, Kyle Triggs, John L. Sanner, J. Freihammer, Nate Kyollo, and Cody Vojacek.

Based upon the Report and Recommendation of United States Magistrate Judge Leo I. Brisbois, and after an independent review of the files, records and proceedings in the above-entitled matter, **IT IS HEREBY ORDERED** that:

1. Defendants Governor Mark Dayton, Attorney General Lori Swanson, the Honorable William J. Cashman, Rachel Schmidt, and George Lock's Motion to Dismiss, [Docket No. 33], is **GRANTED**.

2. Defendants Janelle Kendall, Kyle Triggs, John Sanner, John Freihammer, Nate Kyollo, and Cody Vojacek's Motion to Dismiss, [Docket No. 39], is **GRANTED**.

3. Plaintiff's claims which seek declaratory or injunctive relief against all Defendants are **DISMISSED WITHOUT PREJUDICE**.

4. All of Plaintiff's claims against the Honorable William J. Cashman are **DISMISSED WITH PREJUDICE**.

5. Plaintiff's claims which seek monetary damages against Governor Mark Dayton, Attorney General Lori Swanson, Rachel Schmidt, and George Lock in their official capacities are **DISMISSED WITH PREJUDICE**.

6. Plaintiff's claims which seek monetary damages against Rachel Schmidt and George Lock in their individual capacities are **DISMISSED WITH PREJUDICE**.

7. Plaintiff's claims which seek monetary damages against Janelle Kendall, Kyle Triggs, John Sanner, John Freihammer, Nate Kyollo, and Cody Vojacek in their official capacities are **DISMISSED WITHOUT PREJUDICE**.

8. Plaintiff's claims which seek monetary damages against Janelle Kendall, Kyle Triggs, John Freihammer, Nate Kyollo, and Cody Vojacek in their individual capacities are **DISMISSED WITH PREJUDICE**.

9. All of Plaintiff's claims in Count VII are **DISMISSED WITHOUT PREJUDICE**.

10. All of Plaintiff's claims in Counts VIII through XII are **DISMISSED WITH PREJUDICE**.

11. All of Plaintiff's claims in Counts XIII through XVI are **DISMISSED WITHOUT PREJUDICE**.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: June 26, 2017
at Minneapolis, Minnesota

s/John R. Tunheim
JOHN R. TUNHEIM
Chief Judge
United States District Court