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5 UNITED STATES DISTRICT COURT
6 WESTERN DISTRICT OF WASHINGTON
7 AT SEATTLE

8 SAMUEL LEVINE,

9 Plaintiff,

10 v.

11 CITY OF SEATTLE, et al.,

12 Defendants.

C16-1284 TSZ

MINUTE ORDER

13 The following Minute Order is made by direction of the Court, the Honorable
14 Thomas S. Zilly, United States District Judge:

15 (1) Defendants' motion to strike and to dismiss, docket no. 14, is GRANTED
16 in part and DENIED in part as follows:

17 (a) The motion under Rule 12(f) to dismiss is DENIED;

18 (b) The motion under Rule 12(b)(6) to dismiss is DENIED;

19 (c) The motion under Rule 12(b)(1) to dismiss for lack of standing,
20 prospective declaratory and injunctive relief, is GRANTED. *See*
21 *City of Los Angeles v. Lyons*, 461 U.S. 95, 101 (1983). Those claims
22 for prospective declaratory and injunctive relief are DISMISSED
23 without prejudice;

(d) The Court strikes paragraphs 57, 96, 105, 106, 110, and 111 of
plaintiff's first amended complaint as immaterial and prejudicial.
Except as stricken, the Court DENIES the balance of the motion to
strike as frivolous; and

1 (e) Defendants' motion to strike Mr. Williams' declaration and
2 supporting exhibits, docket no. 20, as well as footnotes 1-8 of
3 plaintiff's response, is STRICKEN as moot.

4 (2) The Clerk is directed to send a copy of this Minute Order to all counsel of
5 record.

6 Dated this 7th day of March, 2017.

7 William M. McCool

8 Clerk

9 s/Karen Dews

10 Deputy Clerk