

FILED

2001 APR 11 A 11:47

CLERK, US DIST. COURT  
EASTERN DIST. OF CALIF  
AT VISALIA

BY

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

GAY-STRAIGHT ALLIANCE NETWORK )  
and GEORGE LOOMIS )

CIV F 00-6616 OWW LJO

Plaintiffs, )

v. )

VISALIA UNIFIED SCHOOL DISTRICT, )  
by and through its Board of )  
Education; CARLYN LAMBERT, )  
Superintendent; LINDA GONZALES, )  
former Superintendent; BOB )  
CESENA, Principal; GIG STEVENS, )  
Assistant Principal, JUAN )  
GARCIA; and Does 1-25, )  
inclusive, )

MEMORANDUM OPINION AND  
ORDER RE: ERRATA IN  
MEMORANDUM OPINION AND  
ORDER RE: DEFENDANT'S  
MOTION TO DISMISS FOR  
FAILURE TO STATE A CLAIM;  
INDEFINITE STATEMENT;  
MOTION TO STRIKE; PARTIAL  
SUMMARY JUDGMENT AND/OR  
SUMMARY ADJUDICATION OF  
ISSUES

Defendants. )

On March 28, 2001, the Court issued a Memorandum Opinion and Order regarding Defendants' motion to dismiss. Page 42, lines 1 through 3 read:

Defendants' motion to dismiss Plaintiff, GEORGE LOOMIS', prayer for punitive damages against Defendant, VISALIA UNIFIED SCHOOL DISTRICT, for Mr. Loomis' Seventh state law claim is DENIED.

This portion of the opinion is hereby corrected to read:


Pursuant to California Government Code section 818, public entities such as Defendant, VISALIA UNIFIED

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1 SCHOOL DISTRICT, are immune from exposure to punitive  
2 damages from State law claims. Plaintiffs at oral  
3 argument have expressed their intent not to seek  
4 punitive damages from the VISALIA UNIFIED SCHOOL  
DISTRICT. Defendants' motion to dismiss Plaintiff,  
5 GEORGE LOOMIS', prayer for punitive damages against  
6 Defendant, VISALIA UNIFIED SCHOOL DISTRICT, is GRANTED.

7 SO ORDERED.

8 DATED: April 9, 2001

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11 Oliver W. Wander  
12 UNITED STATES DISTRICT JUDGE  
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United States District Court  
for the  
Eastern District of California  
April 12, 2001

\* \* CERTIFICATE OF SERVICE \* \*

1:00-cv-06616

Loomis

v.

Visalia Unified Dist

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I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Eastern District of California.

That on April 12, 2001, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office, or, pursuant to prior authorization by counsel, via facsimile.


OWW LJO

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Jack L. Wagner, Clerk

BY:   
Deputy Clerk