

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

****AMENDED** CIVIL MINUTES - GENERAL**

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Case No: CV07-380-GW(FFMx) Date: April 30, 2007
Title: Michael Nozzi et al v. Housing Authority of the City of Los Angeles et al

Present: The Honorable GEORGE H. WU, UNITED STATES DISTRICT JUDGE

Javier Gonzalez Deputy Clerk Wil Wilcox Court Reporter / Recorder Tape No.

Attorneys Present for Plaintiffs:

Attorneys Present for Defendants:

Barrett S. Litt
Paul J. Estaur

Brant H. Dveirin
Todd T. Leung

PROCEEDINGS: HEARING RE: SCHEDULING CONFERENCE; and MOTIONS TO DISMISS

Matter is called. For the reasons stated on the record, the Court rules on motions as follows:

Defendant City of Los Angeles' Motion to Dismiss for Failure to State a Claim is GRANTED with leave to amend.

Defendants' Housing Authority of the City of Los Angeles and Rudolf Montiel's Motion to Dismiss as to the Second, Third and Fifth through Seventh Counts in Plaintiffs' Complaint is GRANTED in part and DENIED in part. **Count 2 is GRANTED with leave to amend; Count 5 is GRANTED without leave to amend;** Count 3 is DENIED; Count 6 is sustained with leave to amend; and Count 7 is withdrawn and dismissed.

Defendants' Housing Authority of the City of Los Angeles and Rudolf Montiel's Motion to Strike the State Causes of Action in Plaintiffs' Complaint against Defendants Housing Authority of the City of Los Angeles and Rudolf Montiel pursuant to California Code of Civil Procedure Section 424.16 is DENIED.

Plaintiff shall have up to and including, May 21, 2007 to amend the complaint.

The Scheduling Conference is CONTINUED to **June 14, 2007 at 8:30 a.m.** Counsel are reminded of their obligations to disclose information, confer on a discovery plan, and report to the Court, as required by FRCP 26 and the Local Rules of this Court. Trial counsel are ordered to be present.

Plaintiff shall give notice to parties.

IT IS SO ORDERED.

FILED ON CM
MAY - 2 2007
BY [Signature] 005

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Initials of Preparer JG

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