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United States District Court
Northern District of California

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

AXEL BRAUN,

Plaintiff,

vs.

**PRIMARY DISTRIBUTOR DOE NUMBER 1 AND
DOES 2 THROUGH 69,**

Defendants.

Case No.: 12-CV-3690 YGR

**ORDER ADOPTING MAGISTRATE JUDGE’S
REPORT AND RECOMMENDATION; DENYING
MOTION OF DOE 9 TO DISMISS (DKT No. 19)**


The Court has reviewed the Report and Recommendation of Magistrate Judge Jacqueline Scott Corley To Deny Doe Y’s Motion to Dismiss. (*See* Dkt. No. 32, “the Report.”) No party filed an objection to the Report. The Court finds the Report correct, well-reasoned, and thorough, and adopts it in every respect.

Accordingly, and for the reasons set forth in the Report, the Motion of Doe Y to Dismiss for Misjoinder is **DENIED**. Plaintiff shall treat Doe Y’s identity as confidential until Doe Y is named as a Defendant, served with the Complaint, and has the opportunity to file a motion to be permitted to proceed in this litigation anonymously. Such motion to proceed anonymously must be filed before or simultaneously with any answer or other responsive pleading.

This Order Terminates Docket Numbers 19 and 32.

IT IS SO ORDERED.

Date: February 14, 2013


**YVONNE GONZALEZ ROGERS
UNITED STATES DISTRICT COURT JUDGE**