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11 FREEDOM FROM RELIGION  
FOUNDATION, INC.  
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13 **UNITED STATES DISTRICT COURT**  
14 **CENTRAL DISTRICT OF CALIFORNIA**  
15 **EASTERN DIVISION**  
16

17 **FREEDOM FROM RELIGION**  
**FOUNDATION, INC.,**

18 **Plaintiff,**

19 v.

20 **CITY OF RANCHO CUCAMONGA,**  
21 **CALIFORNIA, and LINDA**  
22 **DANIELS, Rancho Cucamonga**  
**Development Director,**

23 **Defendants**  
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**CASE NO.: CV08-07833 PA (PJWx)**

**[PROPOSED] ORDER**

Hearing  
Date: September 14, 2009  
Time: 1:30 p.m.  
Dept.: 15  
Judge: Hon. Percy Anderson

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The motion of defendants for summary judgment or, in the alternative, for partial summary judgment, came on regularly for hearing pursuant to notice on September 14, 2009, before the Honorable Percy Anderson, United States District Judge. Plaintiff, Freedom from Religion Foundation, appeared through its attorneys of record, Richard L. Bolton of Boardman Suhr Curry & Field LLP (admitted *pro hac vice*) and Robert A. Seeman. Defendants, City of Rancho Cucamonga and Linda Daniels, appeared through their attorneys of record, T. Peter Pierce and Ginetta L. Giovinco of Richards, Watson & Gershon, a Professional Corporation.

After considering the argument and evidence presented by the parties, and being fully advised in the premises, and having concluded that genuine issues exist as to material facts with respect to the plaintiff's claims for relief against defendants, City of Rancho Cucamonga and Linda Daniels, and that defendants, City of Rancho Cucamonga and Linda Daniels, are therefore not entitled to summary judgment in their favor, as a matter of law, as to all claims for relief alleged in the complaint, now therefore,

IT IS HEREBY ORDERED that the motion of the defendants, City of Rancho Cucamonga and Linda Daniels, is denied.

The Clerk is directed to enter this order.

Dated August 31, 2009.

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Percy Anderson  
United States District Judge