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12 UNITED STATES DISTRICT COURT
 13 SOUTHERN DISTRICT OF CALIFORNIA
 14

15 ALTON JONES,

16 Plaintiff,

17 v.

18 U.S. BORDER PATROL AGENT
 GERARDO HERNANDEZ, et al.,

19 Defendants.

21 UNITED STATES OF AMERICA,

22 Counter-Claimant,

23 v.

24 ALTON JONES,

25 Counter-Defendant.

Case No. 16cv1986 W (WVG)

**NOTICE OF MOTION AND
 COMBINED MOTION FOR SUMMARY
 JUDGMENT BY THE INDIVIDUAL
 DEFENDANTS AND BY THE UNITED
 STATES AS DEFENDANT AND
 COUNTER-CLAIMANT**

DATE: June 18, 2018
 CTRM: The Hon. Thomas J. Whelan

[No oral argument pursuant to L.R. 7.1.d.1.]

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1 TO: PLAINTIFF and COUNTER-DEFENDANT, through his attorneys of record.
 2 PLEASE TAKE NOTICE that the UNITED STATES OF AMERICA, as Defendant
 3 and as Counter-Claimant, and the Individual Defendants GERARDO HERNANDEZ,
 4 JODAN JOHNSON, DAVID FAATOALIA, JOSEPH BOWEN, and JOHN
 5 KULAKOWSKI, bring this combined motion for summary judgment as to all causes of
 6 action brought against the Individual Defendants and the United States and as to the
 7 negligence claim brought by the United States against Counter-Defendant, pursuant to Fed.
 8 R. Civ. P. 56. The hearing date is June 18, 2018, and pursuant to L.R. 7.1.d.1., the motion
 9 will be decided by The Honorable Thomas J. Whelan without oral argument.

10 This motion is based upon the files and records of this case and the accompanying
 11 memorandum of points and authorities, including exhibits.

12 DATED: May 2, 2018

13 Respectfully submitted,

14 ADAM BRAVERMAN
 15 United States Attorney

16 *s/ Samuel W. Bettwy*
 17 SAMUEL W. BETTWY
 18 Assistant U.S. Attorney

19 *s/ David B. Wallace*
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22 Attorneys for Defendants
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