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 9 IN THE UNITED STATES DISTRICT COURT
 10 FOR THE EASTERN DISTRICT OF CALIFORNIA
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12
 13 **JANE ROE #1, ET AL.,**

14 Plaintiffs,

15 v.

16 **UNITED STATES OF AMERICA, ET AL.,**

17 Defendants.
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1:19-cv-00270-DAD-BAM

**DEFENDANT CALIFORNIA
 ATTORNEY GENERAL'S STATEMENT
 OF NONOPPOSITION TO PLAINTIFFS'
 MOTION FOR LEAVE TO AMEND
 OPERATIVE COMPLAINT (ECF
 NO. 33)**

Judge: Hon. Dale A. Drozd
 Action Filed: Feb. 25, 2019

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1 Defendant Xavier Becerra, in his official capacity as the Attorney General of California,
2 submits this statement in accordance with Local Rules 230(c) to inform the Court that he does not
3 oppose Plaintiffs' Motion for Leave to Amend Operative Complaint, ECF No. 33. The California
4 Attorney General reserves his right to challenge the new pleading, and all of its asserted claims,
5 by dispositive motion under Federal Rules of Civil Procedure 12(b), 12(c), and 56, or any other
6 operative rule. *Cf., e.g., SAES Getters S.p.A. v. Aeronex, Inc.*, 219 F. Supp. 2d 1081, 1086 (S.D.
7 Cal. 2002) ("While courts will determine the legal sufficiency of a proposed amendment using the
8 same standard as applied on a Rule 12(b)(6) motion . . . , such issues are often more appropriately
9 raised in a motion to dismiss rather than in an opposition to a motion for leave to amend.").

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11 Dated: March 25, 2020

Respectfully Submitted,

12 XAVIER BECERRA
13 Attorney General of California
14 TAMAR PACHTER
15 Supervising Deputy Attorney General

16 /s/ *Nelson Richards*
17 NELSON R. RICHARDS
18 Deputy Attorney General
19 *Attorneys for Defendant Attorney General of*
20 *California, Xavier Becerra*

CERTIFICATE OF SERVICE

Case Name: **Jane Roe #1, et al. v. United
States of America, et al.**

No. **1:19-cv-00270**

I hereby certify that on March 25, 2020, I electronically filed the following documents with the Clerk of the Court by using the CM/ECF system:

**DEFENDANT CALIFORNIA ATTORNEY GENERAL'S STATEMENT OF NON-
OPPOSITION TO PLAINTIFFS' MOTION FOR LEAVE TO AMEND OPERATIVE
COMPLAINT**

I certify that **all** participants in the case are registered CM/ECF users and that service will be accomplished by the CM/ECF system.

I declare under penalty of perjury under the laws of the State of California the foregoing is true and correct and that this declaration was executed on March 25, 2020, at Sacramento, California.

Tracie L. Campbell

Declarant

/s/ Tracie Campbell

Signature