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**UNITED STATES DISTRICT COURT
 CENTRAL DISTRICT OF CALIFORNIA**

BREAKING CODE SILENCE, a
 California 501(c)(3) nonprofit,

Plaintiff,

vs.

KATHERINE MCNAMARA, an
 Individual; JEREMY WHITELEY, an
 individual; and DOES 1 through 50,
 inclusive,

Defendants.

Case No. 2:22-cv-002052-SB-MAA

**[PROPOSED] ORDER GRANTING
 KATHERINE MCNAMARA'S
 MOTION FOR SUMMARY
 JUDGMENT**

Date: April 17, 2024

Time: 10:00 a.m.

Crtrm: 880

[Assigned to the Hon. Maria A. Audero]





1 The Court, having considered the Motion for Summary Judgment or,
2 Alternatively, Partial Summary Judgment, filed by Defendant KATHERINE
3 MCNAMARA (“McNamara”), the supporting papers and evidence, the opposition
4 papers and evidence, the record on file in this action and the arguments of counsel,
5 finds and adjudicates as follows:

6 1. Plaintiff BREAKING CODE SILENCE (“BCS”) failed to satisfy its
7 burden of producing admissible evidence sufficient to create a genuine issue of
8 material fact entitling McNamara to partial summary judgment on the First Claim
9 for Violation of the Computer Fraud & Abuse Act (18 U.S.C. §1030 *et seq.*).

10 2. BCS failed to satisfy its burden of producing admissible evidence
11 sufficient to create a genuine issue of material fact entitling McNamara to partial
12 summary judgment on the Second Claim for Violation of California Penal Code
13 §502.

14 3. Having disposed of all claims asserted in BCS’s Complaint against
15 McNamara, McNamara’s Motion for Summary Judgment is hereby GRANTED, in
16 its entirety.

17 **IT IS SO ORDERED.**

18 DATED:

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21 By: _____
22 HON MARIA A. AUDERO
23 United States Magistrate Judge
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CERTIFICATE OF SERVICE

I hereby certify that on this 23rd day of February, 2024, I electronically filed the foregoing paper(s) with the Clerk of the Court using the ECF system which will send notification to all parties of record or persons requiring notice.

/s/ Helene Saller

Helene Saller

