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IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

CE RESOURCE, INC.,

No. 2:08-cv-02999-MCE-KJM

Plaintiff,

v.

ORDER

MAGELLAN GROUP, LLC, et al.,

Defendants.

\_\_\_\_\_ /

The matter was referred to a United States Magistrate Judge pursuant to Local Rule 72-302(c)(21).

On April 13, 2010, the magistrate judge filed findings and recommendations herein which were served on the parties and which contained notice to the parties that any objections to the findings and recommendations were to be filed within fourteen days. Objections to the findings and recommendations have been filed.

In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C) and Local Rule 72-304, this court has conducted a de novo review of this case. Having carefully reviewed the entire file, the court finds the findings and recommendations to be supported by the record and by proper analysis.

1           Accordingly, IT IS HEREBY ORDERED that:

2           1. The findings and recommendations filed April 13, 2010, are adopted in full;

3           2. Plaintiffs' motion for entry of default judgment is granted;

4           3. Judgment is entered against defendant The Magellan Group, LLC for monetary  
5 damages in the amounts of \$27,558.70 and attorneys' fees in the amount of \$101,325.50; and

6           4. A permanent injunction is issued requiring defendant Magellan to:

7                   (a) provide information about the faculty and their respective qualifications with  
8 respect to each course it offers as required by the American Nurses Credentialing Center's  
9 Commission on Accreditation ("ANCC");

10                   (b) perform the peer review for course content as required by accreditation  
11 standards;

12                   (c) use health professional versions of its courses instead of patient education  
13 versions, which are much simpler and less detailed than continuing education content necessary  
14 for medical professionals;

15                   (d) obtain from presenters, planners and reviewers, and disclose to learners, a  
16 statement regarding conflict of interest on a vested interest form whether there is one or not, as  
17 required by ANCC;

18                   (e) have its nurse planners possess a graduate degree, requiring that one of the  
19 degrees be in nursing, and its peer reviewers have a Bachelor's of Science Degree in Nursing, as  
20 required by ANCC;

21                   (f) post an expiration date for all enduring materials as required by ANCC;


22                   (g) state the purpose for each course as required by accreditation standards;

23                   (h) post on the main page of its websites or other media through which it offers  
24 continuing education the actual number of courses and course hours it offers, notwithstanding the  
25 fact that courses may fall under various course headings; and

26 ///

1 (i) comply with all rules and regulations applicable to state nursing boards for  
2 states in which Magellan offers continuing education.

3 Dated: July 13, 2010

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5 MORRISON C. ENGLAND, JR.  
6 UNITED STATES DISTRICT JUDGE  
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