IN THE UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

ANATOLIY POPOV and NATALYA POPOV,

Plaintiffs, No. CIV 09-2780 GEB EFB PS

vs.

COUNTRYWIDE FINANCIAL CORPORATION; RECONTRUST COMPANY; LANDSAFE TITLE OF CALIFORNIA, INC.; and DOES 1-50,

Defendants. ORDER

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On December 18, 2009, the magistrate judge filed findings and recommendations herein which were served on the parties and which contained notice that any objections to the findings and recommendations were to be filed within fourteen days. No objections were filed.

Accordingly, the court presumes any findings of fact are correct. See Orland v. United States, 602 F.2d 207, 208 (9th Cir. 1999). The magistrate judge's conclusions of law are reviewed de novo. See Britt v. Simi Valley Unified School Dist., 708 F.2d 452, 454 (9th Cir. 1983).

The court has reviewed the applicable legal standards and, good cause appearing, concludes that it is appropriate to adopt the proposed Findings and Recommendations in full.

Accordingly, IT IS ORDERED that:

1. The proposed Findings and Recommendations filed December 18, 2009, are ADOPTED;

2. Plaintiffs' opposition and proposed amended complaint, Dckt. Nos. 7-8, are construed together as a request for leave to amend plaintiffs' complaint;

3. Plaintiffs' request for leave to amend their complaint, as submitted on November 17, 2009, is granted;

4. Defendants' motion to dismiss, Dckt. No. 4, is denied as moot;

5. Plaintiffs' opposition, Dckt. No. 7, is construed as a request to remand the case to the superior court; and

6. This action is remanded to the Superior Court of the State of California in and for the County of Sacramento.

Dated: March 4, 2010

GARLAND E. BURRELL, JR.
United States District Judge