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

BANK OF AMERICA,

Plaintiff,

CIV. NO. S-09-2865 MCE GGH

vs.

NIKOLAY YAKIMENKO, et al.,

Defendant.

ORDER

_____ /

On June 21, 2011, 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 Orand v. United States, 602 F.2d 207, 208 (9th Cir. 1979). 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 Findings and Recommendations in full.

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Accordingly, IT IS ORDERED that:

1. The Findings and Recommendations filed June 21, 2011 (ECF No. 35), are ADOPTED in full; and
2. Plaintiff's application for entry of default judgment is DENIED without prejudice.

Dated: August 15, 2011



MORRISON C. ENGLAND, JR.
UNITED STATES DISTRICT JUDGE