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6 **IN THE UNITED STATES DISTRICT COURT**
7 **FOR THE DISTRICT OF ARIZONA**
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9 Seychelles Organics Incorporated,

10 Plaintiff,

11 v.

12 John R Rose,

13 Defendant.
14

No. CV-11-01746-PHX-FJM

ORDER

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16 Because she is handling supplemental proceedings under LRCiv 72.1(b), we
17 referred defendants' motion for protective order (doc. 82) to Magistrate Judge Burns for
18 resolution. We now have before us Judge Burns' Report and Recommendation (doc. 86),
19 defendants' objections (doc. 87), and plaintiff's response to the objections (doc. 88).

20 The defendants' objections to the R & R are without merit. Our declaration with
21 respect to the parties' agreement had no effect on the enforceability of the money
22 judgment. Accordingly, under Rule 72(b)(3), Fed. R. Civ. P., we accept the
23 Recommendation of the Magistrate Judge. (doc. 86). It is therefore **ORDERED**
24 **DENYING** the defendants' motion for protective order. (doc. 82).

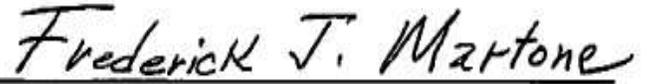
25 In addition, we agree with the Magistrate Judge that the motion is not substantially
26 justified. R & R at 3. Accordingly, we grant plaintiff's request for reasonable attorneys'

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1 fees under Rule 37, Fed. R. Civ. P., (doc. 83 at 12), the amount of such fees to be
2 determined by Judge Burns.

3 Dated this 20th day of September, 2016.

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7 Frederick J. Martone
8 Senior United States District Judge

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