

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

WO

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

Hartford Life and Accident Ins. Co.,
Plaintiff,
vs.
Gomez et al.,
Defendants.

No. CV 13-1144-PHX-BSB

**MEMORANDUM OF DECISION
AND ORDER**

Pending before the Court is Plaintiff’s Renewed Motion for Entry of Default Judgment. (Doc. 27.) This interpleader action was assigned to Magistrate Judge Bade and Plaintiff consented to Magistrate Judge jurisdiction. (Docs. 3, 5.) Because Defendant Lizeth Gomez has neither appeared nor consented to Magistrate Judge jurisdiction, Magistrate Judge Bade filed a Report and Recommendation with this Court on November 25, 2013. (Doc. 33.) To date, no objections have been filed.

The Court “may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate.” 28 U.S.C. § 636(b)(1)(C); see Baxter v. Sullivan, 923 F.2d 1391, 1394 (9th Cir. 1991). Parties have fourteen days from the service of a copy of the Magistrate’s recommendation within which to file specific written objections to the Court. 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 6, 72. Failure to object to a Magistrate Judge’s recommendation relieves the Court of conducting de novo review of the Magistrate Judge’s factual findings and waives all objections to those findings on appeal. See Turner v. Duncan, 158 F.3d 449, 455 (9th Cir. 1998).

1 Having reviewed the Report and Recommendation of Magistrate Judge Bade, to
2 which there have been no objections by any party, the Court hereby incorporates and adopts
3 Magistrate Judge Bade’s Report and Recommendation.

4 Accordingly,

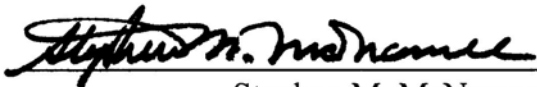
5 **IT IS HEREBY ORDERED** adopting the Report and Recommendation of the
6 Magistrate Judge. (Doc. 33.)

7 **IT IS FURTHER ORDERED** granting Plaintiff’s Renewed Motion for Entry of
8 Default Judgment Against Defendant Lizeth Gomez. (Doc. 27.)

9 **IT IS FURTHER ORDERED** that Lizeth Gomez, her attorneys, her agents, and her
10 assigns are permanently enjoined from initiating proceedings against Hartford in connection
11 with the accidental death and dismemberment benefit at issue in this interpleader action.

12 **IT IS FURTHER ORDERED** that the Court retains jurisdiction over this matter in
13 order to enforce the injunctive relief.

14 DATED this 3rd day of January, 2014.

15
16  _____
17 Stephen M. McNamee
18 Senior United States District Judge
19
20
21
22
23
24
25
26
27
28