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6 **IN THE UNITED STATES DISTRICT COURT**
7 **FOR THE DISTRICT OF ARIZONA**
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9 Michael Lee Beitman,
10 Plaintiff,

11 v.

12 Correct Clear Solutions, et al.,
13 Defendants.
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No. CV-17-03829-PHX-JAT (BSB)

ORDER

15 Pending before the Court is the Report and Recommendation (“R&R”) from the
16 Magistrate Judge (Doc. 67) recommending that default against Defendant Gruenberg be
17 set aside. Neither party has objected to the R&R. *See generally United States v. Reyna-*
18 *Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (*en banc*) (“statute makes it clear that the
19 district judge must review the magistrate judge’s findings and recommendations de novo
20 *if objection is made*, but not otherwise” (emphasis in original)).

21 Accordingly,

22 **IT IS ORDERED** that the R&R (Doc. 67) is accepted.

23 **IT IS FURTHER ORDERED** that Plaintiff’s motion for default judgment (Doc.
24 59) is denied;

25 **IT IS FURTHER ORDERED** that the default entered by the Clerk on March 18,
26 2019 (Doc. 60) is set aside.

27 **IT IS FURTHER ORDERED** that the motion at Doc. 61 is granted to the extent
28 specified above.

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IT IS FURTHER ORDERED that Clerk of Court is ordered to send Plaintiff a service packet for Defendant Gruenberg; Plaintiff shall fill out the service packet for Defendant Gruenberg care of his counsel, Denise Troy, who has agreed to accept service on his behalf (Doc. 76); Plaintiff is ordered to return the service packet to the Clerk's Office within twenty-one (21) days; the Clerk's Office is directed to forward the service packet to the United States Marshal for service, and that service (by waiver or personal service) on Defendant Gruenberg be made within sixty (60) days at government expense by the United States Marshal or his authorized representative.

IT IS FINALLY ORDERED that Plaintiff's motion seeking Defendant Gruenberg's address (Doc. 69) is denied as moot because his counsel has agreed to accept service.

Dated this 17th day of May, 2019.

