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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

Hilda L. Solis, Secretary of Labor, United States Department of Labor,

Plaintiff,

vs.

Sonora Environmental, L.L.C., an Arizona corporation; Lee Jolley, an individual; and Sonora Environmental, L.L.C. 401(K) Profit Sharing Plan, an employee benefit plan,

Defendants.

No. CV 10-675-TUC-JGZ (JJM)

ORDER

Pending before the Court is a Report and Recommendation issued by United States Magistrate Judge Jacqueline Marshall that recommends entering an order of default as to Defendant Jolley based on his failure to defend this matter.¹ (Doc. 25.)

A review of the record reflects that the parties have not filed any objections to the Report and Recommendation and the time to file objections has expired.

The Court has reviewed the record and concludes that Magistrate Judge Marshall’s recommendations are not clearly erroneous. *See* 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72; *Johnson v. Zema Systems Corp.*, 170 F.3d 734, 739 (7th Cir. 1999); *Conley v. Crabtree*, 14 F. Supp. 2d 1203, 1204 (D. Or. 1998).

Accordingly, IT IS HEREBY ORDERED as follows:

¹ The Court reviews *de novo* the objected to portions of the Report and Recommendation. 28 U.S.C. §636(b)(1); FED.R.CIV.P. 72(b). The Court review for clear error the unobjected-to portions of the Report and Recommendation. *Johnson v. Zema Systems Corp.*, 170 F.3d 734, 739 (7th Cir. 1999); *see also Conley v. Crabtree*, 14 F.Supp.2d 1203, 1204 (D.Or. 1998).

1 (1) Magistrate Judge Marshall's Report and Recommendation (Doc. 25) is
2 ACCEPTED and ADOPTED.

3 (2) The Clerk shall enter an order of default against Defendant Jolley.

4 (3) Plaintiff shall submit an application for default judgment within **sixty (60) days**
5 of the filing of this Order.

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7 Dated this 15th day of March, 2012.

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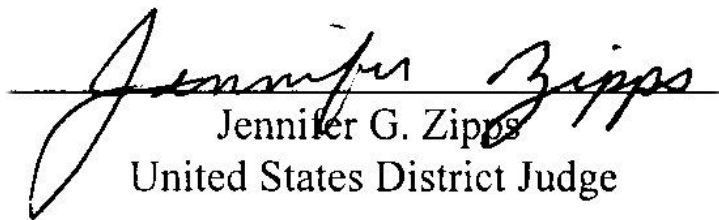
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Jennifer G. Zipps
United States District Judge

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