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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ARIZONA

J & J Sports Productions, Inc.,	)	No. CV 12-550 -TUC-FRZ
Plaintiff,	)	<b>ORDER</b>
vs.	)	
Francisco Arvizu, individually and d/b/a	)	
Pancho's Cantina & Grill,	)	
Defendant.	)	

Before the Court for consideration is Plaintiff's Motion for Award of Costs and Attorneys' Fees and the Report and Recommendation of United States Magistrate Judge D. Thomas Ferraro, recommending that the Court, after its independent review, award costs in the amount of \$470 and deny the request for fees.

This matter was referred to the United States Magistrate Judge for all pretrial proceedings and report and recommendation in accordance with the provisions of 28 U.S.C. § 636(b)(1) and LRCiv 72.1 and LRCiv 72.2, Local Rules of Practice.

On January 17, 2014, Magistrate Judge Ferraro issued his Report and Recommendation, recommending that the District Court, after its independent review of the record herein, grant Plaintiff's Application for Default Judgment and enter judgment against the Defendant in the total amount of \$3400, which includes \$1200 for the licensing fee, \$1200 for future deterrence and \$1000 for enhanced damages, excluding attorney's fees and costs.

1 Plaintiff was directed to comply with LRCiv 54.2 and Fed. R. Civ. P. 54(d)(2) in filing  
2 its motion for attorney's fees and LRCiv 54.1 and Fed. R. Civ. P. 54(d)(1) in seeking its  
3 costs.

4 The Court referred this case back to Magistrate Judge Ferraro in the event Plaintiff  
5 filed a motion for attorneys' fees in accordance with the Report and Recommendation.

6 Plaintiff filed its motion for an award of costs and for attorneys' fees on January 28,  
7 2014. Magistrate Judge Ferraro issued the present Report and Recommendation on April 22,  
8 2014.

9 No objections to the Report and Recommendation were filed.

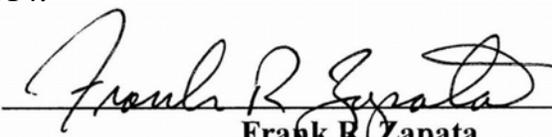
10 The Court finds, after consideration of all matters presented and there being no  
11 objection, that the findings of the Magistrate Judge as set forth in the Report and  
12 Recommendation, shall be accepted and adopted as the findings of fact and conclusions of  
13 law of this Court. Accordingly,

14 **IT IS HEREBY ORDERED** that Magistrate Judge Ferraro's Report and  
15 Recommendation (Doc. 21) is **ACCEPTED** and **ADOPTED** as the findings of fact and  
16 conclusions of law by this Court;

17 **IT IS FURTHER ORDERED** that Plaintiff's Motion for Award of Costs and  
18 Attorneys' Fees (Doc. 20) is **GRANTED** in part and **DENIED** in part;

19 **IT IS FURTHER ORDERED** that Plaintiff is awarded \$470.00 in costs in  
20 accordance thereto.

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22 DATED this 21<sup>st</sup> day of May, 2014.

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25 **Frank R. Zapata**  
26 **Senior United States District Judge**  
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