

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

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

12810 STRATFORD TRUST,
LINDSAY LIMITED
PARTNERSHIP, a Nevada
Partnership, and VIKKI SHORE,

Plaintiffs

v.

UNIGUARD INDEMNITY
COMPANY, et al,

Defendants.

Case No. 2:17-cv-06643-JAK (GJSx)

**ORDER ACCEPTING FINDINGS
AND RECOMMENDATIONS OF
UNITED STATES MAGISTRATE
JUDGE**

Pursuant to 28 U.S.C. § 636, the Court has reviewed all pleadings and other documents filed in this action, Defendants' motion for sanctions (Dkt. 139-140, "Sanctions Motion"), Defendants' Supplement to the Sanctions Motion (Dkt. 166), and Plaintiffs' Opposition to the Sanctions Motion (Dkt. 170), the initial Report and Recommendation of United States Magistrate Judge (Dkt. 184, "Initial Report"), Plaintiffs' Objections to the Initial Report (Dkt. 187), and Defendants' Response, and the Magistrate Judge's Final Report and Recommendation (Dkt. 202, "Final Report"). Pursuant to 28 U.S.C. § 636(b)(1)(C) and Fed. R. Civ. P. 72(b), the Court has conducted a de novo review of the matters to which objections have been stated.

In addition, the Court has considered anew Plaintiffs' ex parte application filed on March 27, 2019, seeking oral argument and/or an evidentiary hearing in connection with her Objections to the Initial Report (Dkt. 197), as well as Defendants' opposition to the ex parte application (Dkt. 198). Based on a review of

1 the objections, the responses to them, and the content of the Final Report, which
2 addresses several of the objections expressly, the Court concludes that neither oral
3 argument nor an evidentiary hearing is necessary or warranted. L.R. 7-15.

4 Therefore, the ex parte application is **DENIED**.

5 Based on the foregoing reviews, the findings and recommendations set forth
6 in the Final Report are accepted. Accordingly:

7 (1) The Sanctions Motion is **GRANTED**;

8 (2) Defendants are awarded \$2,640.00 in attorneys' fees incurred in
9 connection with the Sanctions Motion; provided, however, that each party shall bear
10 its own costs;

11 (3) Plaintiffs' claims are dismissed with prejudice; and

12 (4) Judgment shall be entered dismissing this action with prejudice.

13 IT IS SO ORDERED.

14

15 DATE: April 10, 2019



16 JOHN A. KRONSTADT
17 UNITED STATES DISTRICT JUDGE
18
19
20
21
22
23
24
25
26
27
28