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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

RANDY’S TRUCKING, INC., et al.,)	1:08cv0819 OWW DLB
)	
)	ORDER ADOPTING FINDINGS AND
Plaintiffs,)	RECOMMENDATION THAT MOTION FOR
)	GOOD FAITH SETTLEMENT BE GRANTED
v.)	(Document 120)
)	
AMTRAK, et al.,)	
)	
)	
Defendants.)	
_____)	

On January 8, 2010, the Magistrate Judge issued [Findings and Recommendation](#) that the Motion for Good Faith Settlement Determination filed by Defendants National Railroad Passenger Corporation (“Amtrak”) and Burlington Northern Santa Fe Railroad (“BNSF”) be GRANTED. This Findings and Recommendation was served on all parties and contained notice that any objections were to be filed within thirty (30) days of the date of service of the order. No objections were filed.

In accordance with the provisions of 28 U.S.C. § 636 (b)(1)(C), this Court has conducted a *de novo* review of the case. Having carefully reviewed the entire file, the Court concludes that the Magistrate Judge's Findings and Recommendation is supported by the record and proper analysis.

1 Accordingly, IT IS HEREBY ORDERED that:

- 2 1. The Findings and Recommendation issued January 8, 2010, is ADOPTED IN
3 FULL;
- 4 2. Defendants' Motion for Good Faith Settlement Determination is GRANTED;
- 5 3. The settlement agreement between Amtrak and BNSF and the Garcia Plaintiffs in
6 the amount of \$10,000.00 is made in good faith pursuant to [California Code of](#)
7 [Civil Procedure Sections 877](#) and 877.6. All future cross-complaints filed in this
8 action for equitable comparative relief, or partial or comparative indemnity based
9 upon comparative negligence or comparative fault against Amtrak and BNSF, are
10 barred.

11 IT IS SO ORDERED.

12 **Dated: February 16, 2010**

/s/ Oliver W. Wanger
UNITED STATES DISTRICT JUDGE