

1 Although Plaintiff was granted 14 days from August 15, 2012, or until August 29, 2012, to
2 file objections to the Magistrate's Findings and Recommendations, the Plaintiff did not do so.
3 Notably, Plaintiff was informed that failure to file objections within the specified time may waive the
4 right to appeal the District Court's order. (Doc. 41 at 13-14) (citing Martinez v. Ylst, 951 F.2d 1153
5 (9th Cir. 1991)).

6 In accordance with the provisions of 28 U.S.C. § 636 (b)(1)(C) and Britt v. Simi Valley
7 United School Dist., 708 F.2d 452, 454 (9th Cir. 1983), this Court has conducted a *de novo* review of
8 the case. Having carefully reviewed the entire file, the Court finds that the findings and
9 recommendation are supported by the record and by proper analysis.

10 Accordingly, **IT IS HEREBY ORDERED** that:

- 11 1. The Findings and Recommendations filed August 15, 2012 (Doc. 41), are
12 **ADOPTED IN FULL**;
- 13 2. Plaintiff's request for the entry of default judgment against Defendants **is GRANTED**
14 **IN PART AND DENIED IN PART** as follows:
 - 15 A. Plaintiff's request for statutory damages for the violation of the
16 Communications Act is **GRANTED** in the amount of \$6,000;
 - 17 B. Plaintiff's request for enhanced damages is **DENIED**;
 - 18 C. Plaintiff's request for damages for the tort of conversion is **GRANTED** in the
19 amount of \$2,800; and
- 20 3. Plaintiff **SHALL** file its application for attorney's fees pursuant to 47 U.S.C. 605 no
21 later than fourteen days from the entry of judgment.

22 Moreover, this Court VACATES the September 11, 2012 pretrial conference and October 30,
23 2012 trial.

24 IT IS SO ORDERED.

25 **Dated: September 4, 2012**

/s/ Lawrence J. O'Neill
UNITED STATES DISTRICT JUDGE

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