

1 judgment, including plaintiff's own declaration, established that a triable issue of material fact
2 exists. (Doc. No. 83.) Those Findings and Recommendations were served on the parties and
3 contained notice that objections were to be filed within thirty days. (*Id.*) Despite lapse of more
4 than the allowed time, no objections were filed. *See* Local Rule 304(b), (d).

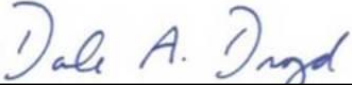
5 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), the court has conducted a
6 *de novo* review of this case. Having carefully reviewed the entire file, the court finds the
7 Findings and Recommendations to be supported by the record and by proper analysis.

8 Accordingly, based upon the foregoing:

- 9 1. The Findings and Recommendations (Doc. No. 83), filed on December 30, 2015,
10 are ADOPTED in full;
- 11 2. Defendant's motion for summary judgment (Doc. No. 74) is DENIED; and
- 12 3. The matter is referred back to the magistrate judge for further proceedings
13 including the setting of a trial date.

14 IT IS SO ORDERED.

15 Dated: March 7, 2016

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18 UNITED STATES DISTRICT JUDGE
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