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3 **UNITED STATES DISTRICT COURT**

4 EASTERN DISTRICT OF CALIFORNIA

5 EFRAIN GARCIA, et al.

Case No. 1:12-cv-609-AWI-SKO

6 Plaintiffs,

7 vs.

**ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS THAT
PLAINTIFFS' MOTION FOR RELIEF
BE GRANTED AND THE CASE BE
REOPENED**

8 ALLSTATE INSURANCE,

9 Defendant.

(Docket No. 28)

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13 On April 22, 2013, the Magistrate Judge issued Findings and Recommendations that
14 Plaintiffs Efrain Garcia and Ofelia Garcia's ("Plaintiffs") Motion for Relief be GRANTED and that
15 the case be reopened. (Doc. 28.) These Findings and Recommendations were served on all parties
16 appearing in the action and contained notice that any objections were to be filed within twenty-one
17 (21) days after service of the order. No objections were filed.18 In accordance with the provisions of 28 U.S.C. § 636 (b)(1)(C), this Court has conducted a
19 *de novo* review of the case. Having carefully reviewed the entire file, the Court concludes that the
20 Magistrate Judge's Findings and Recommendations are supported by the record and proper analysis.

21 Accordingly, IT IS HEREBY ORDERED that:

- 22 1. The Findings and Recommendations issued April 22, 2013, are ADOPTED IN
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- 23 FULL;
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- 24 2. Plaintiffs' Motion for Relief is GRANTED;
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- 25 3. The order closing
- Garcia et al. v. Allstate Insurance*
- , case no. 1:12:-cv-00609-AWI-
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- 26 SKO and the judgment against Plaintiffs is SET ASIDE and the case is REOPENED;
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- 27 4. Plaintiffs amended complaint, lodged with the Court and held in abeyance (Docs. 29,
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- 28 30) is considered FILED as of the date of this order;

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5. Attorney Joseph Todd Armas is ORDERED, within twenty-one (21) days of the date of this order, to file either a substitution of attorney form, inform the Court if Plaintiffs wish to continue proceeding with attorney Armas as their counsel, or file a motion to withdraw as counsel; and

6. The Clerk's Office is DIRECTED to serve Plaintiffs with a copy of this order via U.S. mail at the following address:

Efrain Garcia and Ofelia Garcia
1095 Adams Avenue
Orange Cove, CA 93646

IT IS SO ORDERED.

Dated: May 21, 2013



SENIOR DISTRICT JUDGE