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**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA**

DENNIS BURTON,	)	Case No.: 1:13-cv-00307 - LJO - JLT
Plaintiff,	)	ORDER ADOPTING IN FULL THE FINDINGS
v.	)	AND RECOMMENDATIONS DENYING
NATIONSTAR MORTGAGE, LLC,	)	PLAINTIFF’S MOTION FOR CLASS
Defendant.	)	CERTIFICATION
	)	(Docs. 69 and 86)
	)	

Plaintiff Dennis Burton seeks to certify a class of borrowers, who Plaintiff alleges suffered due to Nationstar Mortgage LLC’s policy of signing loan medications prior to booking the modifications into Nationstar’s system. (Doc. 69.) On October 8, 2014, the Magistrate Judge found Plaintiff failed to show the putative class members have Article III standing, because Plaintiff failed to show they suffered an injury-in-fact. (Id. at 7-11.) Further, the Magistrate Judge determined Plaintiff failed to satisfy the commonality, typicality, and adequacy of representation requirements of Rule 23 of the Federal Rules of Civil Procedure. (Id. at 11-16.) Although Plaintiff proposed subclasses, he failed to present evidence that the subclasses were sufficiently numerous to satisfy Rule 23. (Id. at 19-21.) For these reasons, the Magistrate Judge recommended Plaintiff’s motion for class certification be denied.

Plaintiff was granted twenty-one days from the date of service, or until October 29, 2014, to file any objections to the recommendation of the Magistrate Judge. (Doc. 86 at 24.) Plaintiff was “advised that failure to file objections within the specified time may waive the right to appeal the District Court’s

1 order.” (Id., citing Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991)). However, no objections have  
2 been filed. In accordance with the provisions of 28 U.S.C. § 636 (b)(1)(C) and Britt v. Simi Valley  
3 United School Dist., 708 F.2d 452, 454 (9th Cir. 1983), this Court conducted a de novo review of the  
4 case. Having carefully reviewed the file, the Court finds the Findings and Recommendations are  
5 supported by the record and proper analysis.

6 Based upon the foregoing, **IT IS HEREBY ORDERED:**

- 7 1. The Findings and Recommendations filed October 8, 2014 (Doc. 86) are **ADOPTED**  
8 **IN FULL;**
- 9 2. Plaintiff’s motion to for class certification (Doc. 69) is **DENIED.**

10 **SO ORDERED**

11 **Dated: October 30, 2014**

12 /s/ Lawrence J. O’Neill  
13 **United States District Judge**