

UNITED STATES DISTRICT COURT EASTERN DISTRICT OF CALIFORNIA

RICHARD DEAN JOHNSON and LORI JOHNSON,

Plaintiffs,

v.

CITY OF ATWATER, et al.,

Defendants.

Case No. 1:16-cv-1636-AWI-SAB

ORDER ADOPTING FINDINGS AND RECOMMENDATIONS REGARDING PLAINTIFFS' MOTION TO ENFORCE SETTLEMENT AGREEMENT AND FOR ATTORNEY'S FEES AND COSTS

On May 14, 2018, Plaintiffs Richard and Lori Johnson moved to enforce a settlement agreement with Defendants City of Atwater, Frank Pietro, David Walker, Robert Vargas, Dayton Snyder, and Fabian Velasquez negotiated before the Magistrate Judge Barbara A. McAuliffe and subsequently placed on the record in open court on March 27, 2018. (Doc. 66). On July 13, 2018, Defendants filed an opposition to the motion. (Doc. 69).

On August 16, 2018, the Magistrate Judge filed Findings and Recommendations that Plaintiffs' motion to enforce the settlement and for related fees and costs be denied. The Findings and Recommendations were served on all parties and contained notice that any objections were to be filed within fourteen days of service of the recommendations. No party has filed objections.

In accordance with the provisions of Title 28 of the United States Code section 636 (b)(1)(c), this Court has conducted a *de novo* review of the case. Having carefully reviewed the

1	entire file, the Court finds that the Findings and Recommendations are supported by the record and
2	proper analysis.
3	Accordingly, IT IS HEREBY ORDERED that:
4	1. The Findings and Recommendations filed August 16, 2018 (Doc. No. 72), are
5	ADOPTED IN FULL;
6	2. Plaintiffs' motion to enforce the settlement agreement (Doc. No. 66) is DENIED :
7	and
8	3. Plaintiffs' Motion for Attorneys' Fees and Costs in the amount of \$2,000 for
9	enforcing the settlement (Doc. No. 66) is DENIED ; and
10	4. Within ten days of service of this order, the parties shall:
11	a. Meet and confer on potential dates for a pretrial conference and for trial; and
12	b. Contact courtroom deputy Alice Timken to schedule the same.
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14	IT IS SO ORDERED. Dated: Sontomber 4, 2018
15	Dated: September 4, 2018 SENIOR DISTRICT JUDGE
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