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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

CHRISTOPHER DUFRESNE and
ESTATE OF SYLVIA BROWN,

Plaintiffs,

v.

JPMORGAN CHASE BANK, N.A., et al.,

Defendants.

No. 1:19-cv-00777-DAD-EPG

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS, GRANTING
DEFENDANTS' MOTION TO DISMISS

(Doc. Nos. 3, 4, 15)

This matter is before the court on a motion to dismiss filed on behalf of defendants JPMorgan Chase Bank, N.A. (“Chase”) and Wilmington Trust Company (“WTC”). (Doc. No. 3.) Pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302(a), the court referred both motions to the assigned magistrate judge on June 20, 2019 for issuance of findings and recommendations. (Doc. No. 7.)

On September 12, 2019, the assigned magistrate judge issued findings and recommendations, recommending that defendants’ motion to dismiss be granted and plaintiff’s request for leave to amend be denied. (Doc. No. 15.) The findings and recommendations were served on the parties and contained notice that any objections were to be filed within thirty (30) days from the date of service. No objections have been filed and the time in which to do so has now passed.

1 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(B) and Local Rule 304, the
2 court has conducted a *de novo* review of the case. Having carefully reviewed the entire file, the
3 court concludes that the findings and recommendations are supported by the record and proper
4 analysis.

5 Accordingly:

- 6 1. The findings and recommendations issued on September 12, 2019 (Doc. No. 15) are
7 adopted in full;
- 8 2. The motion to dismiss and request for judicial notice filed on behalf of defendants
9 Chase and WTC (Doc. Nos. 3, 4) are granted;
 - 10 a. Plaintiffs' First and Second Causes of Action are dismissed;
 - 11 b. Plaintiff's Third and Fourth Causes of Action are dismissed with prejudice;
- 12 3. Plaintiffs' request for leave to amend is denied (Doc. No. 10); and
- 13 4. The Clerk of the Court is directed to close the case.

14 IT IS SO ORDERED.

15 Dated: December 10, 2019

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18 UNITED STATES DISTRICT JUDGE
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