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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

In re the matter of:

ARBITRATION AWARD OF ROBERT
PRESLEY OF HMP ARBITRATION
ASSOCIATION DATED APRIL 18, 2019,
JORGE-ALBERTO VARGAS-RIOS,

Applicant.

No. 1:19-cv-01592-NONE-BAM

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS AND DENYING
APPLICATION TO CONFIRM
ARBITRATION AWARD AND MOTION TO
STRIKE

(Doc. Nos. 1, 12, 34)

Applicant Jorge-Alberto Vargas-Rios, proceeding *pro se*, initiated this application to confirm a purported arbitration award against Guild Mortgage Company (“Guild Mortgage”) and the United States Department of Veteran Affairs – Loan Guaranty Service (“VA”).¹ (Doc. No. 1.) Applicant asserted that an arbitration award of \$2,034,000.00 had been entered against Guild Mortgage, and he sought to confirm that award under the Federal Arbitration Act, 9 U.S.C. § 9 (“FAA”). (*Id.*) Applicant also moved to strike Guild Mortgage’s answer and opposition to his application. (Doc. No. 12.) The application for confirmation of arbitration award was referred to a United States Magistrate Judge for the issuance of findings and recommendations. (Doc. No. 33.)

¹ The Court dismissed the VA from this action on May 14, 2020, and the matter now proceeds only against Guild Mortgage. (Doc. No. 25.)

1 On February 4, 2021, the assigned magistrate judge issued findings and recommendations
2 recommending that the application to confirm arbitration award be denied and that applicant's
3 motion to strike also be denied, finding, among other things, that the purported arbitration award
4 upon which applicant bases his application is a sham. (Doc. No. 34.) The findings and
5 recommendations were served on all parties and contained notice that objections thereto were due
6 within fourteen (14) days. (*Id.*) The time for filing objections has passed and no objections have
7 been filed.

8 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(B) and Local Rule 304, this
9 court has conducted a *de novo* review of this case. Having carefully reviewed the entire file, the
10 courts finds the findings and recommendations to be supported by the record and proper analysis.

11 Accordingly,

12 1. The findings and recommendations issued on February 4, 2021 (Doc. No. 34) are
13 ADOPTED IN FULL;

14 2. The application to confirm arbitration award (Doc. No. 1) and the applicant's
15 motion to strike (Doc. No. 12) are DENIED; and

16 3. The Clerk of the Court is directed to enter judgment accordingly and terminate this
17 action.

18 IT IS SO ORDERED.

19 Dated: March 12, 2021

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22 UNITED STATES DISTRICT JUDGE
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