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8	UNITED STATES DISTRICT COURT		
9	FOR THE EASTERN DISTRICT OF CALIFORNIA		
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11	DARREN GILBERT,	No. 1:21-cv-01375-DAD-SAB	
12	Plaintiff,		
13	V.	ORDER ADOPTING FINDINGS AND	
14	SHAHI ASSOCIATES,	RECOMMENDATIONS AND DENYING PLAINTIFF'S MOTION FOR DEFAULT	
15	INCORPORATED, et al.,	<u>JUDGMENT</u>	
16	Defendants.	(Doc. Nos. 23, 25, 27)	
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18	Plaintiff Darren Gilbert ("Plaintiff") is proceeding in this civil rights action on claims for		
19	violations of the Americans with Disabilities Act, California's Unruh Civil Rights Act, and		
20	California Health and Safety Code §§ 19953 et seq. against Defendants Dalvinder Shahi, Kasmir		
21	Shahi, and Nirmal Kaur, the purported owners/operators/leasers of the facility Waterford Market		
22	at 12828 Yosemite Boulevard, Waterford, California 95386. The matter was referred to a United		
23	States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.		
24	On May 17, 2022, the assigned magistrate judge issued findings and recommendations,		
25	recommending that plaintiff's motion for default judgment be denied without prejudice due to		
26	inadequate service. Alternatively, if the District Judge finds service to be adequate, the		
27	magistrate judge recommended the court grant plaintiff's motion for default judgment as to		
28	defendant Kaur only, deny plaintiff's motion as to defendants Dalvinder Shahi and Kasmir Shahi,		

1	and reduce plaintiff's requested fees and costs. (Doc. No. 25.) The findings and		
2	recommendations were served on plaintiff and contained notice that any objections thereto were		
3	to be filed within fourteen (14) days after service. (Id.) On May 26, 2022, plaintiff filed		
4	objections to the findings and recommendations. (Doc. No. 27.)		
5	In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C) and Local Rule 304, this		
6	court has conducted a <i>de novo</i> review of this case. Having carefully reviewed the file, the court		
7	finds the findings and recommendations to be supported by the record and proper analysis.		
8	Accordingly,		
9	1.	The May 17, 2022 findings and recommendations (Doc. No. 25) are adopted in	
10		part and rejected in part as follows:	
11		a. The court finds defendants Dalvinder Shahi and Kasmir Shahi were	
12		properly served;	
13		b. The court finds defendant Nirmal Kaur was not properly served;	
14		c. Plaintiff's request to dismiss defendant Nirmal Kaur is granted; defendant	
15		Nirmal Kaur is hereby dismissed from this action; and	
16		d. Plaintiff's motion is denied as to the claims asserted against defendants	
17		Dalvinder Shahi and Kasmir Shahi.	
18	2.	Plaintiff is hereby ordered to mail a copy of this order to each of the defendants at	
19		that defendant's last known address.	
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22	IT IS SO ORDERED.		
23	Dated: _	August 30, 2022	
24		UNITED STATES DISTRICT JUDGE	
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