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Accordingly, IT IS HEREBY ORDERED that:

1. The findings and recommendations filed April 3, 2015, are adopted in full.

2. Defendant Flores' motion to set aside default, ECF No. 216, is denied as to the grounds asserted in that motion.

3. Plaintiff's motion for default judgment, ECF No. 214, is denied.

4. Notwithstanding the denial of Flores' motion, and in light of the balancing of the *Eitel* factors which weigh against the entry of a default judgment, the clerk's entry of default as to Flores is set aside.

5. Defendant Flores is ordered to file a response to the complaint within 14 days of the date of this order.

So ordered.

DATED: June 1, 2015.


UNITED STATES DISTRICT JUDGE