

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

GENERAL PRODUCE CO., LTD., a  
California limited partnership

Plaintiff,

No. CIV S-08-1084 JAM EFB

vs.

ALEX R. THOMAS & CO., a California  
corporation doing business as GOT FRUIT  
and RIPPLE RILEY THOMAS;  
MENDOCINO GOLD GIFTS, LLC, a  
California limited liability company; RIPPLE  
RILEY THOMAS, LLC, a California limited  
liability company; ALEX R. THOMAS, III, an  
individual; STEPHEN N. THOMAS, an  
individual; and ANNE I. THOMAS,  
[an individual],

ORDER

Defendants.

\_\_\_\_\_ /

Plaintiff's motion for entry of default judgment against all remaining defendants  
came on regularly for hearing before the magistrate judge on December 3, 2008. The matter was  
referred to a United States Magistrate Judge pursuant to Local Rule 72-302(c)(19) and 28 U.S.C.  
§ 636(b)(1).

On June 29, 2009, the magistrate judge filed findings and recommendations  
herein which were served on the parties and which contained notice to the parties that any

1 objections to the findings and recommendations were to be filed within ten days. No objections  
2 were filed.

3 The court has reviewed the file and finds the findings and recommendations to be  
4 supported by the record and by the magistrate judge's analysis. Accordingly, IT IS HEREBY  
5 ORDERED that:

6 1. The Findings and Recommendations filed June 29, 2009, are adopted in  
7 full.

8 2. The default of defendants Alex R. Thomas & Co., Ripple Riley Thomas, LLC,  
9 Alex R. Thomas III, Stephen N. Thomas, and Anne I. Thomas, are entered on the First Amended  
10 Complaint pursuant to Fed. R. Civ. P. 55(a).

11 3. Plaintiff's motion for default judgment against all defendants is granted  
12 pursuant to Fed. R. Civ. P. 55(b)(2).

13 4. Plaintiff is awarded damages in the amount of \$81,497.81, in addition to  
14 prejudgment interest at the rate of 18% per annum, calculated on the full amount, commencing  
15 April 13, 2008, plus postjudgment interest pursuant to 28 U.S.C. § 1961.

16 5. Plaintiff is awarded attorney fees in the amount of \$4908.25, and costs in the  
17 amount of \$530.00.

18 6. The Clerk is directed to close the case.

19 DATED: July 20, 2009

20  
21 /s/ John A. Mendez

22 UNITED STATES DISTRICT JUDGE  
23  
24  
25  
26