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

UNITED STATES OF AMERICA,)	Civil No. 08-cv-02073-JAM-KJM
)	
Plaintiff,)	
)	
v.)	FINDINGS AND RECOMMENDATIONS
)	GRANTING MOTION FOR DEFAULT
)	JUDGMENT
STEPHEN R. LA PERLE, STATE OF)	
CALIFORNIA DEPARTMENT OF)	
VETERANS AFFAIRS, AND ALICE)	
LA PERLE AKA ALICE LINN K-LOPEZ,)	
)	
Defendants.)	
)	
)	

Upon review of the documents in support, no opposition having been filed, and good cause shown THE COURT FINDS AS FOLLOWS:

Stephen R. La Perle was served with the Summons and Complaint in this action, and proof of service was filed with the Court on December 2, 2008. Alice La Perle was served with the Summons and Complaint in this action, and proof of service was filed with the Court on November 20, 2008. The Clerk of Court entered default against Stephen R. La Perle and Alice La Perle on December 31, 2008. The United States’ Motion for Default Judgment was served by mail on Defendants Stephen R. La Perle and Alice La Perle at their last known addresses.

Where a default is entered, the well-pled allegations in the complaint are taken as true and deemed admitted by the defaulted party. See Fair Housing of Marin v. Combs, 285 F.3d 899, 906 (9th Cir. 2002); Geddes v. United Financial Group, 559 F.2d 557, 560 (9th Cir. 1977).

1 In the present case, the facts established by the default support the causes of action pled in the
2 complaint, and thus, default judgment is proper. Furthermore, the declaration and evidence filed
3 in support of the United States' Motion for Default Judgment also support the finding that the
4 United States is entitled to the relief requested in its motion and complaint. There are no policy
5 considerations to preclude the entry of default judgment in this case. See Eitel v. McCool, 782
6 F.2d 1470, 1471-72 (9th Cir. 1986) (listing factors to be considered).

7 Accordingly, IT IS HEREBY RECOMMENDED that the United States' Motion for
8 Default Judgment against Stephen La Perle and Alice La Perle be GRANTED.

9 IT IS FURTHER RECOMMENDED THAT judgment be entered in favor of the United
10 States and against Stephen R. La Perle in the amount of \$280,566.81, plus interest and other
11 statutory additions, as provided by law, accruing after August 6, 2009.

12 IT IS FURTHER RECOMMENDED THAT Alice La Perle be deemed to have no
13 interest in the Subject Property, that title to the subject property is deemed to be in Stephen La
14 Perle alone, and that judgment be entered in favor of the United States and against Alice La Perle
15 aka Alice Linn K-Lopez.

16 IT IS FURTHER RECOMMENDED THAT the United States' federal tax liens
17 encumbering the Subject Property be foreclosed, and the Subject Property be sold pursuant to 28
18 U.S.C. § 2001.

19 DATED: October 5, 2009.

20 
21 U.S. MAGISTRATE JUDGE
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