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

UNITED STATES OF AMERICA, and  
CALIFORNIA DEPARTMENT OF  
TOXIC SUBSTANCES CONTROL,

No. 2:08-cv-02556 MCE JFM

Plaintiffs,

vs.

ORDER

STERLING CENTRECORP, INC.  
STEPHEN P. ELDER, and  
ELDER DEVELOPMENT, INC.,

Defendants.

\_\_\_\_\_ /

Plaintiffs filed the above-entitled action. The matter was referred to a United States Magistrate Judge pursuant to Local Rule 72-302(c)(21).

On June 6, 2011, the magistrate judge filed findings and recommendations herein which were served on counsel and Stephen Elder and which contained notice that any objections to the findings and recommendations were to be filed within fourteen days. Defendant Sterling Centrecorp, Inc., filed objections challenging certain factual findings made by the magistrate judge. Defendant Stephen Elder also filed objections.


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1 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C) and Local Rule 72-  
2 304, this court has conducted a de novo review of this case. Having carefully reviewed the entire  
3 file, the court finds the findings and recommendations to be supported by the record and by  
4 proper analysis.<sup>1</sup>

5 Accordingly, IT IS HEREBY ORDERED that:

- 6 1. The findings and recommendations filed June 6, 2011 are adopted in full;<sup>2</sup>
- 7 2. Plaintiffs' motion for default judgment against Elder Development is  
8 partially granted:
  - 9 a. Default judgment is granted on the question of liability; and
  - 10 b. Default judgment is denied without prejudice as to the question of  
11 damages.

12 Dated: September 19, 2011

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15 MORRISON C. ENGLAND, JR.  
16 UNITED STATES DISTRICT JUDGE

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24 <sup>1</sup> To the extent defendants challenge certain factual findings made by the magistrate  
25 judge, the court notes that those objections are immaterial to the recommendation made that  
26 default judgment be partially granted. The court will, however, take those objections into  
consideration when considering the pending motions for summary judgment.