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

J & J SPORTS PRODUCTIONS, INC.,

Plaintiff,

No. CIV-S-10-1043-FCD-KJN

vs.

ELSA MARINA TORRES, individually and
d/b/a CLUB MACCAO,

Defendants.

ORDER

On November 3, 2010, the magistrate judge filed findings and recommendations herein which were served on the parties and which contained notice that any objections to the findings and recommendations were to be filed within fourteen days. No objections were filed.

Accordingly, the court presumes that any findings of fact are correct. See Orand v. United States, 602 F.2d 207, 208 (9th Cir. 1979). The magistrate judge's conclusions of law are reviewed de novo. See Britt v. Simi Valley Unified School Dist., 708 F.2d 452, 454 (9th Cir. 1983).

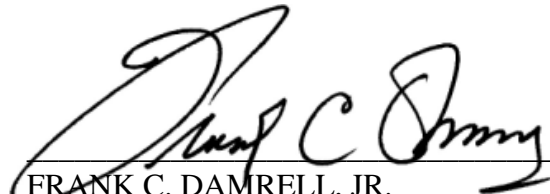
The court has reviewed the applicable legal standards and, good cause appearing, concludes that it is appropriate to adopt the Proposed Findings and Recommendations in full.

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1 Accordingly, IT IS ORDERED that:

- 2 1. The Proposed Findings and Recommendations filed November 3, 2010, are
3 ADOPTED;
- 4 2. The parties' stipulation is approved and the clerk's entry of default entered against
5 defendant on September 7, 2010 is set aside;
- 6 3. Plaintiff's application for default judgment is denied as moot; and
- 7 4. Defendant's Answer filed on December 23, 2010, is deemed timely filed.

8 DATED: January 3, 2011.

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12 FRANK C. DAMRELL, JR.
13 UNITED STATES DISTRICT JUDGE
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