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

CALIFORNIA SPORTFISHING
PROTECTION ALLIANCE,

Plaintiff,

CIV. NO. S-10-1801 GEB GGH PS

vs.

WILLIAM CALLAWAY,
dba PARADISE READY MIX,

Defendant.

ORDER

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On November 28, 2012, 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. After receiving two extensions of time, defendant filed untimely objections on February 13, 2013 which were not considered.

Accordingly, the court presumes 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).

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

3 Accordingly, IT IS ORDERED that the Findings and Recommendations filed
4 November 28, 2012, are ADOPTED and

5 1. Callaway's motion for summary judgment, filed August 16, 2012, (dkt. no.
6 87), is denied; and

7 2. CalSpa's motion for partial summary judgment, filed September 20, 2012,
8 (dkt. no. 93), is granted as to Claims Three, Four and Six.

9 Dated: March 6, 2013

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13 GARLAND E. BURRELL, JR.
14 Senior United States District Judge
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