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

STAFFORD B. DAVIS,

Plaintiff,

No. CIV S-10-2003 FCD EFB PS

vs.

THE JOHN STEWART COMPANY,

Defendant.

ORDER

On March 8, 2011, 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 any findings of fact are correct. See Orland v. United States, 602 F.2d 207, 208 (9th Cir. 1999). The magistrate judge's conclusions of law are reviewed de novo. See Britt v. Simi Valley Unified Sch. 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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Accordingly, IT IS ORDERED that:

1. The proposed Findings and Recommendations filed March 8, 2011, are ADOPTED;
2. Plaintiff's motion to remand, Dckt. Nos. 21 and 23, is granted; and
3. This action is remanded to the Superior Court of the State of California in and for the County of Sacramento.

DATED: April 13, 2011.



FRANK C. DAMRELL, JR.
UNITED STATES DISTRICT JUDGE