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

EKIN MITCHELL,

Plaintiff,

No. CIV S-11-0362 LKK DAD

v.

SACRAMENTO CITY UNIFIED
SCHOOL DISTRICT,

Defendant.

ORDER

_____ /
The matter was referred to a United States Magistrate Judge pursuant to Local Rule 302(c)(19) and by minute order filed June 29, 2011 (Doc. No. 15).

On August 1, 2011, the magistrate judge filed findings and recommendations herein which were served on all parties and which contained notice to all parties that any objections were to be filed within fourteen days after the filing of the findings and recommendations. No objections to the findings and recommendations have been filed.

The court has reviewed the file and finds the findings and recommendations to be supported by the record and by the magistrate judge's analysis.

Accordingly, IT IS HEREBY ORDERED that:


1. The findings and recommendations filed August 1, 2011 (Doc. No. 22) are adopted in full;

1 2. Defendant's June 30, 2011 amended motion to set aside default (Doc. No. 16)
2 is granted without conditions, except as set forth below;

3 3. Plaintiff's June 24, 2011 motion for default judgment (Doc. No. 13) is denied;
4 and

5 4. Defendant shall file its Rule 12 motion within ten days after this order is filed
6 and shall set the motion for hearing before the undersigned as soon as practicable.

7 DATED: August 25, 2011.

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11 LAWRENCE K. KARLTON
12 SENIOR JUDGE
13 UNITED STATES DISTRICT COURT
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