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

POLYMATHIC PROPERTIES, INC.,

Plaintiff,

No. 2:12-cv-2848-LKK-EFB PS

vs.

DWAYNE W. MACK; NATHANIEL
BASOLA SOBAYO,

Defendants.

ORDER

_____ /
On November 27, 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. Defendants filed 60 pages of objections on December 10, 2012. On December 13, 2012, plaintiff served and filed an “ex parte application” to confirm the lack of federal court jurisdiction.

This court reviews de novo those portions of the proposed findings of fact to which objection has been made. 28 U.S.C. § 636(b)(1); McDonnell Douglas Corp. v. Commodore Business Machines, 656 F.2d 1309, 1313 (9th Cir. 1981), cert. denied, 455 U.S. 920 (1982). As to any portion of the proposed findings of fact to which no objection has been made, the court assumes its correctness and decides the motions on the applicable law. See Orand v.

1 United States, 602 F.2d 207, 208 (9th Cir. 1979). The magistrate judge's conclusions of law are
2 reviewed de novo. See Britt v. Simi Valley Unified Sch. Dist., 708 F.2d 452, 454 (9th Cir.
3 1983).

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


6 Accordingly, IT IS ORDERED that:

7 1. The proposed Findings and Recommendations filed November 27, 2012 are
8 ADOPTED;

9 2. The above-captioned case is REMANDED to the Superior Court of the State
10 of California in and for the County of Solano; and

11 3. Plaintiff's ex parte application to confirm the lack of federal court jurisdiction
12 is denied as moot.

13 DATED: January 10, 2013.

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17 LAWRENCE K. KARLTON
18 SENIOR JUDGE
19 UNITED STATES DISTRICT COURT
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