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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

JASON DAVIS, et al.,
Plaintiffs,
v.
NATIONSTAR MORTGAGE, LLC, et al.,
Defendants.

No. 2:16-cv-2599 KJM CKD PS

ORDER

Plaintiffs filed the above-entitled action. The matter was referred to a United States Magistrate Judge under Local Rule 302(c).

On December 9, 2016, the magistrate judge filed findings and recommendations, which were served on plaintiffs and which contained notice to plaintiffs that any objections to the findings and recommendations were to be filed within fourteen days. Plaintiffs have not filed objections to the findings and recommendations.

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). Having reviewed the file, the court finds the findings and recommendations to be supported by the record and by the proper analysis.

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Accordingly, IT IS HEREBY ORDERED that:

1. The findings and recommendations filed December 9, 2016 are adopted in full;
2. Defendants' motions to dismiss and for judgment on the pleadings (ECF Nos. 7, 10) is

granted in the following manner:

a. Defendant Indymac Bank, F.S.B. is dismissed from this action without leave to amend; and

b. Plaintiffs are granted an opportunity to file an amended complaint against defendants Nationstar Mortgage, LLC, Mortgage Electronic Registration Systems, Inc., Ocwen Loan Servicing, LLC, and Barrett Daffin Frappier Treder & Weiss, LLP within thirty days; and

3. The Clerk of Court is directed to set a mandatory settlement conference between all parties remaining in this action before a randomly selected magistrate judge other than Magistrate Judge Delaney.

DATED: May 12, 2017.


UNITED STATES DISTRICT JUDGE