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8   UNITED STATES DISTRICT COURT

9   FOR THE EASTERN DISTRICT OF CALIFORNIA

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11   E. DRAKE,   No. 2:17-cv-1036-JAM-EFB PS

12   Plaintiff,

13   v.   ORDER

14   THE NIELLO COMPANY, NIELLO
      IMPORTS OF ROCKLIN, INC., NIELLO
15   PERFORMANCE MOTORS INC.,
      NIELLO MOTOR CAR COMPANY AND
16   SHIPPING EXPERTS INC.,

17   Defendants.

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19   On March 12, 2020, the magistrate judge filed findings and recommendations herein

20   which were served on the parties and which contained notice that any objections to the findings

21   and recommendations were to be filed within fourteen days. No objections were filed.

22   The court has reviewed the applicable legal standards and, good cause appearing,

23   concludes that it is appropriate to adopt the proposed Findings and Recommendations in full.

24   Accordingly, IT IS ORDERED that:

25   1. The proposed Findings and Recommendations filed March 12, 2020, are ADOPTED;

26   2. Niello's motion to enjoin plaintiff from relitigating against it and its affiliates the

27   issues adjudicated in this action (ECF No. 120) is granted;

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3. Plaintiff is permanently enjoined from relitigating, or attempting to relitigate, by commencing or filing, in any federal or state court any future action, petition, complaint, or cause of action seeking adjudication of the factual and/or legal issues adjudicated and dismissed in this action;

4. The injunction applies to plaintiff's filing under any name or alias, including the name of any entity owned or controlled by plaintiff Eric Drake or any of his aliases, including: Eric Drake; E. Drake; Eric von Drake; E. Drak; E.V. Drake; V. Drake; Eric Michaels; WVPG, LLC; Eric von Rogers; David Wayne Rogers; and Mark Fuller; and

5. Niello's motion to declare plaintiff a vexatious litigant and for issuance of a pre-filing order (ECF No. 120) is denied.

DATED: April 21, 2020

/s/ John A. Mendez_____

UNITED STATES DISTRICT COURT JUDGE