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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

PRICE SIMMS HOLDINGS, LLC, et al.,

Plaintiffs,

v.

CANDLE3, LLC,

Defendant.

No. 2:18-cv-1851-WBS-KJN

ORDER

(ECF Nos. 130, 140, 141)

On April 6, 2020, the magistrate judge filed findings and recommendations (ECF No. 140), which were served on the parties and which contained notice that any objections to the findings and recommendations were to be filed within fourteen (14) days. No objections were filed. Accordingly, 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).

The court has reviewed the applicable legal standards and, good cause appearing, concludes that it is appropriate to adopt the findings and recommendations in full.


Accordingly, IT IS HEREBY ORDERED that:

1. The findings and recommendations (ECF No. 140) are **ADOPTED IN FULL**;
2. Plaintiffs' Motion for Default Judgment (ECF No. 130) is **GRANTED**;

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- 3. Plaintiffs are awarded final judgment in the amount of \$3,340,256; and
- 4. Candle3's counterclaims (ECF No. 59) are **DISMISSED WITH PREJUDICE** pursuant to Federal Rule of Civil Procedure 41(b) for failure to prosecute.

Dated: April 27, 2021

  
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WILLIAM B. SHUBB  
UNITED STATES DISTRICT JUDGE