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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

BVD PETROLEUM US INC.,  
Plaintiff,  
v.  
MB XPRESS INC. ET AL,  
Defendants.

No. 2:19-cv-02137-KJM-KJN

ORDER

(ECF Nos. 10, 17)

On March 23, 2020, the magistrate judge filed findings and recommendations (ECF No. 15), 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. On March 26, plaintiff objected, and the magistrate judge withdrew the findings and recommendations. (ECF Nos. 16, 17.) The magistrate judge then filed new findings and recommendations on April 1, 2020, and required objections within seven (7) days. No objections were filed.

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 Robbins v. Carey*, 481 F.3d 1143, 1147 (9th Cir. 2007) (“[D]eterminations of law by the magistrate judge are reviewed de novo by both the district court and [the appellate] court . . .”). Having reviewed the file, the court finds the findings and recommendations to be

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1 supported by the record and by the proper analysis. Accordingly, IT IS HEREBY ORDERED  
2 that:

- 3 1. The findings and recommendations (ECF No. 17) are ADOPTED IN FULL;
- 4 2. Plaintiff's Motion for Default Judgment (ECF No. 10) is GRANTED;
- 5 3. Plaintiff is awarded final judgment in the amount of \$242,561.75; and
- 6 4. BVD is entitled to post-judgment interest, pursuant to 28 U.S.C. § 1961.

7 DATED: September 10, 2020.

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10 CHIEF UNITED STATES DISTRICT JUDGE  
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