

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

NEW YORK LIFE INSURANCE
COMPANY,

Plaintiff,

v.

MICHAEL BEGASHAW & ENDALE
TESSEMA,

Defendants.

Case No. 2:22-cv-02081-KJM-JDP

ORDER

Plaintiff's motion for entry of default judgment was submitted for decision without oral argument by the magistrate judge. The matter was referred to a United States Magistrate Judge as provided by Local Rule 302(c)(19) and 28 U.S.C. § 636(b)(1).

On August 20, 2024, the magistrate judge filed findings and recommendations, which contained notice to the parties that any objections to the findings and recommendations were to be filed within fourteen 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

////

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

3 Accordingly, IT IS HEREBY ORDERED that:

4 1. The Findings and Recommendations filed August 20, 2024, are adopted in full;

5 2. Plaintiff’s motion for default judgment, ECF No. 24, is granted and default judgment is
6 entered against defendant Begashaw. The entry of default judgment, however, is not construed as
7 a determination of the rightful beneficiary to the death benefit;

8 3. Plaintiff is discharged from any and all liability to defendant Begashaw regarding the
9 life insurance policy issued to Mariamawit Tessema and the death benefit under the policy; and

10 4. Defendant Begashaw is permanently enjoined from bringing any action or proceeding
11 in any forum against plaintiff relating to the life insurance policy issued to Mariamawit
12 Tessema’s or the death benefit under the policy.

13 DATED: October 23, 2024.

14
15 
16 UNITED STATES DISTRICT JUDGE
17
18
19
20
21
22
23
24
25
26
27
28