

United States District Court
For the Northern District of California

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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO AESTHETICS AND
LASER MEDICINE INC,

Plaintiff,

v.

THE PRESIDIO TRUST,

Defendant.

No. C-07-05170 EDL

**ORDER VACATING HEARING;
DENYING PLAINTIFF'S MOTION FOR
DE NOVO DETERMINATION OF
CROSS-MOTIONS TO ENFORCE
SETTLEMENT AGREEMENT AND
GRANTING DEFENDANT'S MOTION
TO EXPAND THE RECORD**

On June 3, 2009, the Honorable Maria-Elena James issued a Report and Recommendation Re Motion and Cross Motion to Enforce Settlement Agreement, recommending that the Court grant the Federal Defendants' Motion to Enforce the Settlement Agreement consistent with certain modifications and deny Plaintiff's Motion to Enforce. Plaintiff filed a motion for de novo determination of the cross motions to enforce the settlement agreement, and Defendant filed a motion to expand the record. The Court finds both motions suitable for decision without a hearing, vacates the August 18, 2009 hearing, and after reviewing de novo the portions of the magistrate judge's disposition objected to by Plaintiff, pursuant to Federal Rule of Civil Procedure 72(b)(3), denies Plaintiff's motion for de novo determination, and grants Defendant's unopposed motion to expand the record, although Defendant's additional evidence does not change the outcome of the Court's ruling. The Court adopts the Report and Recommendation for the reasons stated therein and denies Plaintiff's objections to that Report.

IT IS SO ORDERED.

Dated: August 13, 2009

Elizabeth D. Laporte

ELIZABETH D. LAPORTE
United States Magistrate Judge

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