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4   UNITED STATES DISTRICT COURT

5   NORTHERN DISTRICT OF CALIFORNIA

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7   STEVEN SMYRNI,

8   Plaintiff(s),   No. C 08-4360 PJH

9   v.   **ORDER ADOPTING**
                                              MAGISTRATE JUDGE'S REPORT
10   US INVESTIGATIONS SERVICES LLP, **AND RECOMMENDATION; SCHEDULING**
      et al.,   **CASE MANAGEMENT CONFERENCE**

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12   Defendant(s).
      _____/

13   The court has reviewed Magistrate Judge James' Report and Recommendation re:

14   plaintiff's omnibus motion for interest, for order determining that tax returns need not be

15   produced and for disclosure of documents. No objections to the report have been filed.

16   The court finds the report correct, well-reasoned and thorough, and adopts it in every

17   respect. Accordingly, the court ORDERS as follows:

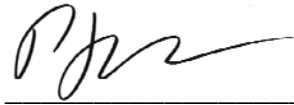18   1.   Defendants shall pay prejudgment interest at a rate of 5%, compounded

19   annually on $70,143.00 in back benefits paid from May 23, 2006 through

20   June 30, 2009;

21   2.   Plaintiff shall produce to defendants his tax returns for years 2006-2008 within

22   30 days of the date of this order;

23   3.   Plaintiff's request for access to LINA's claim manuals and other documents is

24   DENIED as moot; and

25   4.   Plaintiff's request for surveillance records is DENIED as moot.

26   Given the notice of settlement of plaintiff's motion for attorney's fees, there are no

27   further matters pending before the court, and it appears that this litigation is at an end.

28   Accordingly, the court ORDERS that the parties appear for a case management conference

      to determine what, if any, additional proceedings are necessary. The conference will be

1 held on May 6, 2010, at 2:00 p.m. A case management statement shall be filed 7 days

2 before the conference. The conference will be vacated, should the parties file a stipulation

3 for dismissal before that date.

4   IT IS SO ORDERED.

5 Dated: March 5, 2010

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   PHYLLIS J. HAMILTON
   United States District Judge

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