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3 UNITED STATES DISTRICT COURT
4 FOR THE NORTHERN DISTRICT OF CALIFORNIA
5 OAKLAND DIVISION
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8 JESSE HELTON; ALISHA PICCIRILLO;
9 CHAD LOWE; individually and on behalf of
10 all others similarly situated,

11 Plaintiffs,

12 vs.

13 FACTOR 5, INC.; FACTOR 5, LLC;
14 BLUHARVEST, LLC; WHITEHARVEST,
15 LLC; JULIAN EGGBRECHT; HOLGER
16 SCHMIDT; THOMAS ENGEL; and DOES
17 1-100,

18 Defendants.

Case No: C 10-04927 SBA

**ORDER ACCEPTING REPORT
AND RECOMMENDATION**

Docket 103, 121

19 On June 19, 2013, Plaintiffs filed an Application for Default Judgment Against
20 Factor 5 Defendants by Court ("motion for default judgment"). Dkt. 103. On July 22,
21 2013, this matter was referred to Magistrate Judge Laurel Beeler ("the Magistrate") for a
22 Report and Recommendation. Dkt. 114. On August 15, 2013, the Magistrate issued a
23 Report and Recommendation in which she recommends that this Court deny Plaintiffs'
24 motion for default judgment without prejudice. Dkt. 121.

25 Any objections to the Magistrate's Report and Recommendation were required to be
26 filed within fourteen days of service thereof. Fed.R.Civ.P. 72(b)(2); 28 U.S.C. §
27 636(b)(1)(C). The district court must "make a de novo determination of those portions of
28 the report or specified proposed findings or recommendations to which objection is made,"
and "may accept, reject, or modify, in whole or in part, the findings or recommendations
made by the magistrate judge." 28 U.S.C. § 636(b)(1)(C).

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The deadline for Plaintiffs to object to the Report and Recommendation was August 29, 2013. See Fed.R.Civ.P. 6(a)(1); Fed.R.Civ.P. 72(b)(2); 28 U.S.C. § 636(b)(1)(C). To date, no objection has been filed. In the absence of a timely objection, the Court "need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation." Fed.R.Civ.P. 72, Advisory Committee Notes (1983) (citing Campbell v. U.S. Dist. Court, 501 F.2d 196, 206 (9th Cir. 1974)); see also United States v. Reyna-Tapia, 328 F.3d 1114, 1121 (9th Cir. 2003) ("The statute [28 U.S.C. § 636(b)(1)(C)] makes it clear that the district judge must review the magistrate judge's findings and recommendations de novo *if [an] objection is made*, but not otherwise.") (en banc). The Court has reviewed the record on its face and finds no clear error. Accordingly,

IT IS HEREBY ORDERED THAT the Magistrate's Report and Recommendation (Dkt. 121) is ACCEPTED and shall become the Order of this Court. This Order terminates Docket 103 and Docket 121.

IT IS SO ORDERED.

Dated: 9/12/2013


SAUNDRA BROWN ARMSTRONG
United States District Judge