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3 UNITED STATES DISTRICT COURT
4 NORTHERN DISTRICT OF CALIFORNIA
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7 ABBATE FAMILY FARMS LIMITED
8 PARTNERSHIP,

9 Plaintiff,

No. C 11-0319 PJH

10 v.

11 P.Y. PRODUCE, LLC, et al.,

12 Defendants.
_____ /


**ORDER ADOPTING MAGISTRATE
JUDGE'S REPORT AND
RECOMMENDATION; ORDER
GRANTING MOTION FOR DEFAULT
JUDGMENT**

13 The court has reviewed Magistrate Judge Laporte's Report and Recommendation
14 regarding plaintiff Abbate Family Farms Limited Partnership's motion for default judgment.
15 Defendants P.Y. Produce, LLC, and Jose Gomez filed no objections to the report. The
16 court finds the report correct, well-reasoned and thorough, and adopts it in every respect,
17 the sole modification being to the date of accrual of post-judgment interest and method of
18 calculation. Accordingly, plaintiff's motion for default judgment is GRANTED.

19 The court finds that plaintiff is entitled to damages in the amount of \$57,627.95, plus
20 accrued prejudgment interest in the amount of \$13,550.84 (calculated at a rate of 1.5% per
21 month, from September 1, 2010, to the date of judgment), plus \$350 in costs, plus post-
22 judgment interest (calculated at the legal rate, see 28 U.S.C. § 1961(a)) from the date of
23 judgment.
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25 **IT IS SO ORDERED.**

26 Dated: January 23, 2012
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PHYLLIS J. HAMILTON
United States District Judge