

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

3
4 AFCM, INC, a California
corporation; FO-FARMER'S OUTLET,
5 INC, a California corporation;

6 Plaintiff,

7 v.

8 ELITE GLOBAL FARMING AND
LOGISTICS, INC, a California
9 corporation; JOSE ESCAMILLA, an
individual; JOHN CREIGHTON, an
10 individual; STEPHEN WYRICK, an
individual; KENT CURLEY, an
11 individual; DAVID GATTIS, an
individual; AMBER RIGOR, an
12 individual; RICHARD ESCAMILLA,
SR., an individual; and RICHARD
13 ESCAMILLA, JR., an individual,

14 Defendants.
15 _____/

No. C 11-4677 CW

ORDER ADOPTING
MAGISTRATE JUDGE'S
REPORT AND
RECOMMENDATION RE
MOTION FOR DEFAULT
JUDGMENT

16 The Court has reviewed Magistrate Judge Laporte's Report and
17 Recommendation Re Motion for Default Judgment. The Court finds
18 the Report correct, well-reasoned and thorough. After the Report
19 was filed, Defendant Stephen Wyrick wrote to the Court asking that
20 the case against him be dismissed. He admits that he was served
21 with the complaint, but states that he relied upon a co-Defendant
22 to take care of it. He indicates that he did receive later
23 documents from the Court, although he did not receive them timely
24 at his new address. However, he did not, and still does not,
25 provide a new address. He also implies that he has filed a
26 bankruptcy petition. If he has, he may be entitled to a stay of
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1 these proceedings, but he provides no information about his
2 purported bankruptcy filing. Otherwise, he provides no
3 meritorious objection to the Report and Recommendation and the
4 Court adopts it in every respect. If Defendant Wyrick has not
5 filed for bankruptcy, he may file a motion for relief from
6 judgment and a motion to set aside his default, if he has other
7 grounds to do so.

8
9 Accordingly,

10 IT IS HEREBY ORDERED that the motion for default judgment is
11 GRANTED. The Clerk shall enter judgment in accordance with the
12 Report and Recommendation.

13 Dated: 8/7/2012

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15 CLAUDIA WILKEN
16 United States District Judge

17 cc: EDL, MagRef
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