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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

JP Morgan Chase Bank, National Ass'n,  
Plaintiff,  
v.  
Kim Ha Vu, et al.,  
Defendants.

NO. C 10-04721 HRL

**ORDER RELATING CASES; ADOPTING  
REPORT AND RECOMMENDATION  
AND REMANDING TO STATE COURT**

Presently before the Court is Magistrate Judge Lloyd's Order for Related Case Determination and Report and Recommendation filed on October 20, 2010. (See Docket Item No. 3.) To date, no objections have been filed.

The duties of the district court in connection with a report and recommendation of a magistrate judge are set forth in Rule 72(b) of the Federal Rules of Civil Procedure and 28 U.S.C. § 636(b)(1). Any party may serve and file specific written objections to a magistrate judge's report and recommendation within (10) working days after being served with a copy. See 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b); Civ. L.R. 72-3.

When parties object to a report and recommendation, the district court "shall make a *de novo* determination of those portions of the [report and recommendations] to which objection is made." 28 U.S.C § 636(b)(a); see United States v. Raddatz, 447 U.S. 667, 676 (1980). When no objections are filed, the district court need not review the report and recommendation *de novo*. Wang v. Masaitis, 416 F.3d 992, 100 n.13 (9th Cir. 2005); United States v. Reyna-Tapia, 328 F.3d 1114, 1121-22 (9th Cir. 2003) (*en banc*). A district court may "accept, reject, or modify in whole or in

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1 part, the findings or recommendations made by the magistrate judge.” Fed. R. Civ. P. 72(b); 28  
2 U.S.C. § 636(b)(1).

3 As a preliminary matter, the Court finds that this case is related to JP Morgan Chase Bank,  
4 National Ass’n v. Vu, et al., C 10-2474 JW within the meaning of Civ. L.R. 3-12. Thus, the Court  
5 orders the cases related. Moreover, upon review of Judge Lloyd’s Report and Recommendation and  
6 absent any objections, the Court finds that it can adopt the Report and Recommendation in full. The  
7 Court REMANDS this action to Santa Clara Superior Court.

8 The Clerk shall immediately remand this action to the Superior Court of Santa Clara County.

9  
10 Dated: November 4, 2010

  
\_\_\_\_\_  
JAMES WARE  
United States District Judge

1 **THIS IS TO CERTIFY THAT COPIES OF THIS ORDER HAVE BEEN DELIVERED TO:**

2 Earl Robert Wallace earl@rswlaw.net

3 Kim Ha Vu & Huy Vu  
4 18900 Newsom Avenue  
5 Cupertino, CA 95014

6 **Dated: November 4, 2010**

**Richard W. Wieking, Clerk**

7 **By:           /s/ JW Chambers**  
8 **Elizabeth Garcia**  
9 **Courtroom Deputy**

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