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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

JOSE DANIEL CASTILLO-ANTONIO,
Plaintiff,
v.
CONNIE ALVAREZ, et al.,
Defendants.

Case No. 16-CV-00352-LHK

**ORDER ADOPTING REPORT AND
RECOMMENDATION**

Re: Dkt. Nos. 16, 18

On January 21, 2016, Plaintiff Jose Daniel Castillo-Antonio (“Plaintiff”) filed this disability access case against Defendants Connie Alvarez, Gabriel Velazquez, and Donna Velazquez (collectively, “Defendants”). ECF No. 1. On July 22, 2016, U.S. Magistrate Judge Nathanael Cousins issued a Report and Recommendation that the District Judge grant Plaintiff’s motion for default judgment against Defendants. ECF No. 18. No objections have been filed, and the time to file objections has now expired. *See* Fed. R. Civ. P. 72(b)(2).

Having reviewed the Report and Recommendation, as well as the record in this case, the Court finds that the Report and Recommendation is well-founded in fact and in law. The Court ADOPTS the Report and Recommendation in its entirety. Accordingly, Plaintiff’s motion for default judgment is GRANTED. ECF No. 16. The Clerk shall enter judgment in favor of Plaintiff

1 in accordance with the Report and Recommendation. The Court awards Plaintiff \$4,000 in
2 statutory damages and \$7,918.50 in attorney's fees and costs.

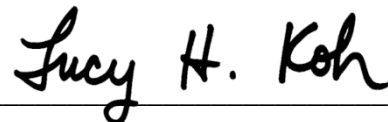
3 In addition, Defendants are ORDERED to make the Plaza Garibaldi Restaurant located at
4 1170 East Santa Clara Street, San Jose, California (the "Restaurant") accessible to Plaintiff in
5 accordance with the Americans with Disabilities Act of 1990, 42 U.S.C. § 1201 *et seq.*, and
6 California's Unruh Civil Rights Act, Cal. Civ. Code § 51(f), as follows:

- 7 • The Restaurant must configure and identify an accessible route of travel from the
8 designated accessible parking to the primary entrance.
- 9 • The Restaurant's primary entrance door must be made wheelchair-accessible and
10 posted with the proper international symbol of Accessibility.
- 11 • The Restaurant's aisles must be wheelchair-accessible.
- 12 • The Restaurant's countertop for sales must be wheelchair-accessible.
- 13 • The Restaurant's restroom must be wheelchair-accessible, including the toilet
14 handle, sink, pipes under sink, and mirror, and with sufficient space for
15 maneuvering.

16 The Clerk shall close the case file.

17 **IT IS SO ORDERED.**

18
19 Dated: August 11, 2016



LUCY H. KOH
United States District Judge