

1 UNITED STATES DISTRICT COURT
2 NORTHERN DISTRICT OF CALIFORNIA
3 SAN JOSE DIVISION

4 NATIONAL MEDICAL SERVICES, INC.,

5 Plaintiff,

6 v.

7 INDX LIFECARE, INC.,

8 Defendant.
9

Case No. [5:16-cv-04425-EJD](#)

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

Re: Dkt. Nos. 15, 24

10 On August 5, 2016, National Medical Services, Inc. ("NMS") filed this action against
11 iNDx Lifecare, Inc. to recover amounts due on unpaid loans. The case was stayed on August 29,
12 2016 for bankruptcy proceedings (Dkt. No. 10) and then reopened on December 29, 2016 (Dkt.
13 No. 11). NMS moved for entry of default on February 10, 2017 (Dkt. No. 12), the Clerk entered
14 default on February 15 (Dkt. No. 13), and NMS moved for default judgment on March 15. Dkt.
15 No. 15.

16 Before the Court is Magistrate Judge Nathanael M. Cousins's Report and
17 Recommendation to Grant Default Judgment, which recommends an award of \$444,885.77 in
18 damages, attorneys' fees, and costs. Dkt. No. 24. The time for objecting to the Report and
19 Recommendation has passed and no objections were filed. Fed. R. Civ. P. 72(b)(2). The Court
20 finds that the Report and Recommendation is thorough and well-founded in fact and law, and
21 adopts it in every respect. NMS's motion for default judgment is GRANTED. Judgment will be
22 entered accordingly, and the Clerk shall then close this file.

23 **IT IS SO ORDERED.**

24 Dated: July 10, 2017

25 
26 EDWARD J. DAVILA
United States District Judge