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**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA**

ANDREW NILON, individually, and on
behalf of all others similarly situated,

Plaintiff,

vs.

NATURAL-IMMUNOGENICS CORP.,

Defendant.

CASE NO. 3:12-CV-00930-LAB (BGS)

**ORDER ADOPTING REPORT AND
RECOMMENDATION (DOC. NO. 84)
RE: PLAINTIFF'S MOTION FOR
TERMINATING SANCTIONS (DOC.
NO. 74)**

Nilon filed a motion for terminating sanctions, to hold Natural-Immunogenics' counsel in contempt, and for monetary sanctions. (Docket no. 74.) Judge Skomal issued a report and recommendation (the "R&R") on Nilon's motion, recommending that it be denied. (Docket no. 84.)

Objections to the R&R were due on February 19, 2015. Nilon didn't file an objection. "The district judge must determine de novo any part of the magistrate judge's disposition that has been properly objected to." Fed. R. Civ. P. 72(b). "A judge of the court may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge." 28 U.S.C. § 636(b)(1). The "statute makes it clear that the district judge must review the magistrate judge's findings and recommendations de novo *if objection is made*, but not otherwise." *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc).

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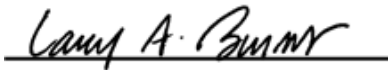
1 The Court has nonetheless reviewed the R&R and agrees with its rationale and
2 conclusions. The R&R is **ADOPTED**. Nilon's motion for terminating sanctions, to hold
3 Natural-Immunogenics' counsel in contempt, and for monetary sanctions is **DENIED**.

4 **IT IS SO ORDERED.**

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6 DATED: April 24, 2015

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HONORABLE LARRY ALAN Burns
United States District Judge

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