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

OLAUDAH DUMAS; and T.S., a
minor, by and through his Guardian Ad
Litem, OLAUDAH DUMAS,

Plaintiffs,

vs.

SUNVIEW PROPERTIES, a business
of unknown form; and WILLIAM R.
TURPIN,

Defendants.

CASE NO. 13cv1425 WQH
(JLB)

ORDER

HAYES, Judge:

The matter before the Court is the review of the Report and Recommendation (ECF No. 46) issued by United States Magistrate Judge Jill L. Burkhardt, recommending that Plaintiffs' Motion to Approve Compromise of Minor's Claims (ECF No. 29) be granted.

I. Background

On June 18, 2013, Plaintiff Olaudah Dumas and Plaintiff T.S. Dumas, a minor, by and through his *Guardian Ad Litem* Olaudah Dumas, commenced this action by filing a Complaint in this Court against Defendants Sunview Properties and William R. Turpin ("Defendants"). (ECF No. 1). Plaintiffs allege that Defendants discriminated against families with children in the operation of the apartments located at 4953 Trojan

1 Avenue, San Diego, California (“the Trojan Apartments”). *Id.* at 1. The Complaint
2 alleges causes of action for: (1) violations of the Fair Housing Act, 42 U.S.C. §§
3 3604(b), (c), and 3617; (2) violations of the California Fair Employment and Housing
4 Act (“FEHA”), California Government Code §§ 12955(a), (c), (d), and 12955.7; (3)
5 violations of the California Unruh Civil Rights Act (“Unruh Act”), California Civil
6 Code §51 *et seq.*; (4) unfair business practices in violation of California Business &
7 Professions Code § 17204; and (5) negligence.

8 On October 15, 2014, Plaintiffs filed a Notice of Settlement, indicating that the
9 parties had reached a settlement in this case. (ECF No. 26). On November 3, 2014,
10 Plaintiffs filed the Motion to Approve Compromise of Minor’s Claims, requesting
11 approval of settlement of the claims of Plaintiff T.S., a minor, for \$10,000. (ECF No.
12 29). On December 17, 2014, Plaintiffs filed the Supplemental Declaration of Olaudah
13 Dumas in support of Plaintiffs’ Motion to Approve Compromise of Minor’s Claims.
14 (ECF No. 37). On December 22, 2014, Plaintiffs filed an amended supplement in
15 support of Plaintiffs’ Motion to Approve Compromise of Minor’s Claims. (ECF No.
16 40). On January 30, 2015, United States Magistrate Judge Jill L. Burkhardt issued the
17 Report and Recommendation, recommending that the Motion of Plaintiffs to Approve
18 Compromise of Minor’s Claims be granted.

19 On February 2, 2015, the Court issued an order stating that “[a]ny objections to
20 the Report and Recommendation, recommending that Plaintiffs Motion to Approve
21 Compromise of Minors Claims be granted, shall be filed by Tuesday, February 17,
22 2015. (ECF No. 47). The docket reflects that no objections to the Report and
23 Recommendation have been filed.¹

24
25 ¹ On February 17, 2015, Defendants filed a document titled “Defendants’
26 Clarification to the Report and Recommendation to Grant Motion of Plaintiffs to
27 Approve Minors’ Compromise.” (ECF No. 48). Defendants assert that “[a]
28 modification is not necessary to the Report and Recommendation and Defendants do
not object to or seek to modify the Report and Recommendation.” *Id.* at 3. Defendants
wish to state for the record that the sum of \$35,750 cited in the Report and
Recommendation represents the settlement amount that covers Plaintiff T.S.’s damages,
attorneys’ fees, and costs, but does not cover the portion of the settlement payable to

1 **II. Review of the Report and Recommendation**

2 The duties of the district court in connection with a report and recommendation
3 of a magistrate judge are set forth in Federal Rule of Civil Procedure 72(b) and 28
4 U.S.C. § 636(b). The district judge must “make a *de novo* determination of those
5 portions of the report ... to which objection is made,” and “may accept, reject, or
6 modify, in whole or in part, the findings or recommendations made by the magistrate.”
7 28 U.S.C. § 636(b). The district court need not review *de novo* those portions of a
8 Report and Recommendation to which neither party objects. *See Wang v. Masaitis*, 416
9 F.3d 992, 1000 n.13 (9th Cir. 2005); *U.S. v. Reyna-Tapia*, 328 F.3d 1114, 1121-22 (9th
10 Cir. 2003) (en banc).


11 After review of the Report and Recommendation and the submissions of the
12 parties, the Court concludes that the Magistrate Judge correctly found that the
13 settlement is in the best interest of all the parties and the amount of money Plaintiff T.S.
14 will receive is fair and reasonable.

15 **III. Conclusion**

16 IT IS HEREBY ORDERED that: (1) the Report and Recommendation (ECF No.
17 46) is ADOPTED in its entirety; and (2) Plaintiffs’ Motion to Approve Compromise of
18 Minor’s Claims (ECF No. 29) is GRANTED.

19 IT IS FURTHER ORDERED that, pursuant to the stipulation of dismissal filed
20 by the parties on November 13, 2014 (ECF No. 30), this action is DISMISSED with
21 prejudice.

22 DATED: March 5, 2015

23 
24 **WILLIAM Q. HAYES**
25 United States District Judge

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28 _____
Plaintiff Olaudah Dumas.