

1
2
3
4
5
6
7
8 **UNITED STATES DISTRICT COURT**
9 **SOUTHERN DISTRICT OF CALIFORNIA**
10

11 SAN DIEGO ASSOCIATION OF
12 REALTORS, INC.,
13
14 Plaintiff,
15 v.
16 SANDICOR, INC.; NORTH SAN
17 DIEGO COUNTY ASSOCIATION OF
18 REALTORS; and PACIFIC
19 SOUTHWEST ASSOCIATION OF
20 REALTORS,
21 Defendants.

Case No.: 16cv96-MMA (KSC)

**ORDER ADOPTING REPORT AND
RECOMMENDATION OF UNITED
STATES MAGISTRATE JUDGE;
AND**

[Doc. No. 140]

**DENYING EX PARTE MOTION TO
ENFORCE JUDGMENT**

[Doc. No. 136]

20 On April 20, 2018, the parties executed a settlement agreement (the “Settlement
21 Agreement”) and, on September 25, 2018, the parties filed a stipulation of dismissal of
22 the above-captioned case. *See* Doc. Nos. 115, 134. The case was dismissed pursuant to
23 the stipulation and the Court retained jurisdiction to enforce the settlement agreement.
24 Doc. No. 135. On October 22, 2018, Defendants North San Diego County Association of
25 Realtors (“NSDCAR”) and Pacific Southwest Association of Realtors (“PSAR”) filed an
26 *ex parte* motion to enforce the settlement agreement. Doc. No. 136. Plaintiff filed a
27 response in opposition (Doc. No. 138), to which PSAR and NSDCAR replied (Doc. No.
28 139). The matter was referred to United States Magistrate Judge Karen S. Crawford for

1 preparation of a Report and Recommendation pursuant to Title 28, section 636(b)(1).
2 Judge Crawford issued a thorough and well-reasoned Report recommending that the
3 motion be denied. Doc. No. 140.

4 Pursuant to Rule 72 of the Federal Rules of Civil Procedure and 28 U.S.C.
5 § 636(b)(1), the Court must “make a de novo determination of those portions of the report
6 . . . to which objection is made,” and “may accept, reject, or modify, in whole or in part,
7 the findings or recommendations made by the magistrate [judge].” 28 U.S.C. §
8 636(b)(1); *see also United States v. Remsing*, 874 F.2d 614, 617 (9th Cir. 1989). When
9 the parties do not object to a Report and Recommendation, the district court is not
10 required to conduct “any review at all.” *Thomas v. Arn*, 474 U.S. 140, 149 (1985); *see*
11 *also Wang v. Masaitis*, 416 F.3d 992, 1000 n.13 (9th Cir. 2005); *United States v. Reyna-*
12 *Tapia*, 328 F.3d 1114, 1121-22 (9th Cir. 2003) (en banc).

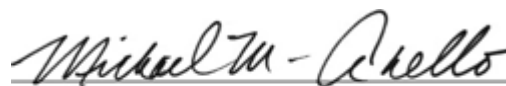
13 Here, objections to the Report and Recommendation were due no later than June
14 17, 2019. Doc. No. 140 at 20. To date, no objections have been filed. *See* Docket. The
15 Court has made a review and determination in accordance with the requirements of 28
16 U.S.C. § 636 and applicable case law. Accordingly, for the reasons set forth in the
17 Report and Recommendation, **IT IS HEREBY ORDERED THAT:**

18 1. Judge Crawford’s Report and Recommendation is **ADOPTED** in its
19 entirety; and

20 2. PSAR and NSDCAR’s Motion to Enforce Judgment (Doc. No. 136) is
21 **DENIED.**

22 **IT IS SO ORDERED.**

23 Dated: June 24, 2019



Hon. Michael M. Anello
United States District Judge