

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

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

DR. CHARBEL MAKSOUD,  
  
Plaintiff,  
  
v.  
  
PHILIPPE GUELTON,  
  
Defendant.

Case No.: 3:17-cv-00362-H-WVG

**ORDER ADOPTING REPORT AND  
RECOMMENDATION REGARDING  
SETTLEMENT AND DIRECTING  
THE CLERK TO CLOSE THE CASE**


[Doc. No. 212.]

On March 5, 2020, the magistrate judge issued a report and recommendation (“R&R”) recommending the closing of this case since the parties had enacted the terms of the settlement agreement. (Doc. No. 212.) The magistrate judge’s order instructed that objections to the R&R must be filed by March 19, 2020. The Court must review de novo those portions of an R&R to which objections are made. 28 U.S.C. § 636(b)(1). “The statute makes it clear,” however, “that the district judge must review the magistrate judge’s findings and recommendations de novo *if an objection is made*, but not otherwise.” United States v. Reyna-Tapia, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc) (emphasis in original). In this case, the deadline to file written objections to the R&R was March 19, 2020. (Doc. No. 212.) However, no objections have been filed and neither party has requested additional time to do so. Here the parties entered into a settlement agreement on the record and the Defendant tendered to the Plaintiff a check and signed an assignment of

1 rights if any. (Doc. No. 212.) Even upon a de novo review the Court would approve the  
2 R&R given the entire record in this case. Accordingly, the Court **APPROVES** and  
3 **ADOPTS** the R&R in its entirety and directs the Clerk to close the case.

4 **IT IS SO ORDERED.**

5 DATED: March 20, 2019

6   
7 MARILYN L. HUFF, District Judge  
8 UNITED STATES DISTRICT COURT  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28