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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

LEFT COAST WRESTLING, LLC,
Plaintiff,
v.
DEARBORN INT'L LLC,
Defendant.

Case No.: 17cv466-LAB (NLS)

**ORDER ADOPTING REPORT AND
RECOMMENDATION, AND
GRANTING DEFAULT JUDGMENT
AGAINST DEFENDANTS DUKE
MINH LE AND DEARBORN
INTERNATIONAL, LLC; AND

ORDER REQUIRING PLAINTIFF
TO SUBMIT PROPOSED ORDER**

The Court referred Plaintiff’s motion for default judgment (Docket no. 37) against Defendants Duke Minh Le and Dearborn, International, LLC to Magistrate Judge Nita Stormes for a report and recommendation. (Docket no. 38.) The motion sought certain relief for discovery abuses which was within Judge Stormes’ power to grant, and she was authorized to rule directly on that. Or, if appropriate, she could roll this into the general analysis. As to the remainder, she was directed to issue a report and recommendation.

Judge Stormes issued her report and recommendation (the “R&R”). As part of the R&R, she recommended an award of costs and attorney’s fees, but did not calculate the amount. Instead, she ordered Plaintiff to supplement the briefing. After Plaintiff did that, Judge Stormes issued a supplemental report and recommendation (Docket no. 44,

1 “Supplemental R&R”) calculating the costs and attorney’s fees to be awarded. No party
2 has filed objections.

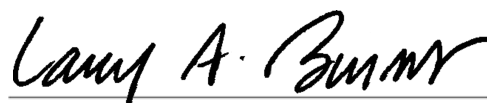
3 A district court has jurisdiction to review a Magistrate Judge's report and
4 recommendation on dispositive matters. Fed. R. Civ. P. 72(b). “The district judge must
5 determine de novo any part of the magistrate judge's disposition that has been properly
6 objected to.” *Id.* “A judge of the court may accept, reject, or modify, in whole or in part,
7 the findings or recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1).
8 This section does not require some lesser review by the district court when no objections
9 are filed. *Thomas v. Arn*, 474 U.S. 140, 149–50 (1985). The “statute makes it clear that
10 the district judge must review the magistrate judge's findings and recommendations de
11 novo *if objection is made*, but not otherwise.” *United States v. Reyna-Tapia*, 328 F.3d
12 1114, 1121 (9th Cir. 2003) (en banc) (emphasis in original).

13 The Court has reviewed the R&R and Supplemental R&R, finds them to be
14 correct, and **ADOPTS** them. The motion for default judgment against Duke Minh Le
15 and Dearborn International, LLC is **GRANTED**. An order granting the requested relief
16 will follow.

17 Plaintiff shall submit via email a proposed order in editable electronic format
18 granting the relief recommended by the R&R. It should include the attorney’s fees award
19 mentioned in Judge Stormes’ supplemental report and recommendation. It should also
20 track the R&R’s language as closely as possible.

21
22 **IT IS SO ORDERED.**

23 Dated: June 19, 2018



24 Hon. Larry Alan Burns
25 United States District Judge
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