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

ERIN VINCENT; JOSEPH
VINCENT; and DAVID BELL as
guardian ad litem for C.H., W.V.,
and Z.V.,

Plaintiffs,

Case No.: 20-cv-1794-LAB-AGS

**ORDER ADOPTING REPORT
AND RECOMMENDATION
[Dkt. 59]**

v.

SAN DIEGO FAMILY HOUSING,
LLC; LINCOLN MILITARY
PROPERTY MANAGEMENT LP;
and Does 1 through 50,

Defendants.

This action arises from allegations that Defendant-landlords failed to adequately address the buildup of mold in Plaintiffs’ military housing. (Dkt. 1-2 at 12–15). Plaintiffs allege they experienced allergy and flu-like symptoms, headaches, and skin rashes. (*Id.*). They further allege minor C.H. experienced a “respiratory infection”; minor W.V. experienced a “bloody nose”; and minor Z.V. experienced “itchy” and “red” skin. (*Id.* at 14–15). The parties agreed to settle the suit for \$100,000. (Dkt. 56 at 2). As part of the settlement, each minor plaintiff will receive \$5,000, which will be deposited into an “interest-bearing, federally insured block account” “until the minor reaches 18 years of age.” (*Id.*).

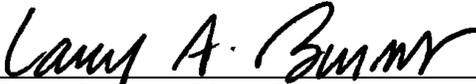
1 David Bell, *guardian ad litem* for the minor plaintiffs, filed an *ex parte* motion
2 to approve minors' compromise. The motion was referred to Magistrate Judge
3 Andrew Schopler for a report and recommendation ("R&R"). Judge Schopler
4 recommends the Court grant the motion, approve the settlement, and order the
5 minors' net recovery be placed in a blocked account as detailed in the motion.
6 (Dkt. 59 at 4). No objection was filed prior to the October 17, 2022 deadline. For
7 the reasons below, the Court **ADOPTS IN FULL** Judge Schopler's R&R.

8 A district court has jurisdiction to review a magistrate judge's R&R on
9 non-dispositive matters. Fed. R. Civ. P. 72(a). "A judge of the court may accept,
10 reject, or modify, in whole or in part, the findings or recommendations made by
11 the magistrate judge." 28 U.S.C. § 636(b)(1). The "statute makes it clear that the
12 district judge must review the magistrate judge's findings and recommendations
13 *de novo if objection is made*, but not otherwise." *United States v. Reyna-Tapia*,
14 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc) (emphasis in original).

15 The Court has reviewed the R&R and **ADOPTS** it in full. (Dkt. 59). For the
16 reasons set forth in the R&R, the motion to confirm minors' compromise is
17 **GRANTED**, (Dkt. 56), and the compromise and settlement of the claims of the
18 minors C.H., W.V., and Z.V. is **APPROVED** as fair and reasonable and in the best
19 interests of the minor plaintiffs. The Court **FURTHER ORDERS** that the minors'
20 net recovery be placed in a blocked account until further Court order or the minors
21 reach the age of 18. (See Dkt. 56 at 3–4).

22 **IT IS SO ORDERED.**

23 Dated: November 17, 2022

24 
25 **Hon. Larry Alan Burns**
26 United States District Judge
27
28