

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
Judge William J. Martínez**

Civil Action No. 11-cv-01351-WJM-KLM

10260 EAST COLFAX AVENUE, LLC, an Oregon limited liability company,

Plaintiff,

v.

HYUNG KEUN SUN, an individual,

Defendant.

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**ORDER ADOPTING RECOMMENDATION, GRANTING MOTION  
FOR DEFAULT JUDGMENT, AND DIRECTING CLERK TO  
ENTER JUDGMENT IN FAVOR OF PLAINTIFF**

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This matter is before the Court on the November 10, 2011 Recommendation by United States Magistrate Judge Kristen L. Mix that Plaintiff's Motion for Default Judgment be granted. (ECF No. 25.) The Recommendation is incorporated herein by reference. See 28 U.S.C. § 636(b)(1)(B), Fed. R. Civ. P. 72(b).

The Recommendation advised the parties that specific written objections were due within fourteen days after being served with a copy of the Recommendation. (ECF No. 25 at 10.) Despite this advisement, no objections to the Magistrate Judge's Recommendation were filed by either party. "In the absence of timely objection, the district court may review a magistrate . . . [judge's] report under any standard it deems appropriate." *Summers v. Utah*, 927 F.2d 1165, 1167 (10th Cir. 1991) (citing *Thomas v. Arn*, 474 U.S. 140, 150 (1985) (stating that "[i]t does not appear that Congress intended

to require district court review of a magistrate's factual or legal conclusions, under a *de novo* or any other standard, when neither party objects to those findings”).

The Court concludes that the Magistrate Judge’s thorough and comprehensive analyses and recommendations are correct and that “there is no clear error on the face of the record.” See Fed. R. Civ. P. 72(b) advisory committee’s note. Therefore, the Court hereby ADOPTS the Report of the United States Magistrate Judge as the findings and conclusions of this Court.

Accordingly, it is hereby ORDERED that the Recommendation of the United States Magistrate Judge (ECF No. 25), filed November 10, 2011, is ACCEPTED. For the reasons cited therein, the Court further ORDERS as follows:

1. Plaintiff’s Motion for Default Judgment (ECF No. 20) is GRANTED;
2. The Clerk shall enter judgment in favor of Plaintiff in the following amounts:
  - a. \$714,155.04, plus interest at a per diem rate of \$196.35 commencing on September 7, 2011, through the date of entry of judgment in this matter;
  - b. \$6,947.77 in attorneys’ fees and costs; and
  - c. Post-judgment interest at a rate provided for by federal law.

Dated this 9<sup>th</sup> day of December, 2011.

BY THE COURT:



William J. Martínez  
United States District Judge