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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

* * *

JOSH TOWBIN,)	
)	
Plaintiff(s),)	2:08-cv-1719-RLH-PAL
)	
vs.)	ORDER
)	
EMPIRE SUZUKI, <i>et al.</i> ,)	
)	
Defendant(s).)	

Before this Court is the Report of Findings and Recommendation of United States Magistrate Judge (#37, filed February 19, 2010), entered by the Honorable Peggy A. Leen, regarding Plaintiff’s Motion for Sanctions re: Discovery (#34, filed November 12, 2009), and the Court’s Order to Show Cause (#36, issued December 22, 2009). No objection was filed to Magistrate Judge Leen’s Report of Findings and Recommendation in accordance with Local Rule IB 3-2 of the Rules of Practice of the United States District Court for the District of Nevada, and the matter was submitted for consideration.

The Court has conducted a *de novo* review of the record in this case in accordance with 28 U.S.C. §636(b)(1)(B) and (C) and Local Rule IB 3-2 and determines that the Report of Findings and Recommendation of Magistrate Judge Leen should be accepted and adopted.

IT IS THEREFORE ORDERED that Magistrate Judge’s Report of Findings and Recommendation (#37, entered February 19, 2010) is ACCEPTED and ADOPTED, Plaintiff’s Motion for Sanctions is granted and Defendants’ pleadings are stricken and judgment entered on behalf of Plaintiff as follows:


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JUDGMENT

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that Plaintiff take judgment against Defendants Empire Suzuki and Tom Georgalis, and each of them, as follows:

- | | | |
|----|---|-------------|
| 1. | As and for payment for work performed:
Plus interest as provided by NRS 99.040 | \$281,500 |
| 2. | As and for attorneys' fees in the amount of | \$21,263.50 |
| 3. | And costs as provided by law. | |

Dated: March 25, 2010.



ROGER L. HUNT
Chief U.S. District Judge