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UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

\* \* \*

HERB REED ENTERPRISES, INC., *et al.*, )  
 )  
Plaintiffs, )  
 )  
vs. )  
 )  
MONROE POWELL'S PLATTERS, LLC, )  
*et al.*, )  
 )  
Defendants. )

2:11-CV-02010-PMP-NJK

**ORDER**

Before the Court for consideration is the Report and Recommendation (Doc. #130) entered by the Honorable Nancy J. Koppe, United States Magistrate Judge on July 11, 2013 which recommends that Defendant Powell's Answer be stricken and that default judgment be entered against him.

On July 26, 2013, Defendants Monroe Powell and Monroe Powell's Platters, LLC, filed Objections to the Magistrate Judge's Report and Recommendation (Docs. #131, #132 & #133). On August 12, 2013, Plaintiff filed a Response to Defendant's Objections (Doc. #134).

The Court has reviewed the foregoing proceedings, *de novo*, and based thereon concludes that Defendant's Objections to the Report and Recommendation of the Magistrate Judge should be overruled and the Recommendation of the Magistrate Judge should be affirmed.

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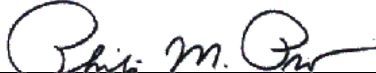
1           **IT IS THEREFORE ORDERED** that Defendant's Objections to the Magistrate  
2 Judge's Report and Recommendation (Docs. #131, #132 & #133) are **OVERRULED**.

3           **IT IS FURTHER ORDERED** that the Report and Recommendation of the  
4 Magistrate Judge (Doc. #130) entered July 11, 2013, is hereby **AFFIRMED**. Pursuant  
5 thereto, Defendant Powell's Answer is hereby **STRICKEN** and default judgment is hereby  
6 entered against Defendants and on behalf of Plaintiffs.

7           **IT IS FURTHER ORDERED** that the Magistrate Judge's Orders regarding  
8 attorneys fees and Plaintiff's motion to compel are also **AFFIRMED**.

9           **IT IS FURTHER ORDERED** that the Clerk of Court shall forthwith enter  
10 default judgment in favor of Plaintiffs and against Defendants accordingly.

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12 DATED: September 16, 2013.

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15 PHILIP M. PRO  
16 United States District Judge  
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