

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3 Case No.: 2:15-cv-01766-JAD-GWF

4 Above the Ceiling, LLC,
5 Plaintiff

6 v.

7 Western Architectural Services et al.,
8 Defendants

**Order Adopting Report and
Recommendation to Grant Motion to
Enforce Settlement Agreement and Reduce
to Judgment**

[ECF Nos. 74, 76, 79]

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11 Defendant Western Architectural Services hired subcontractor plaintiff Above the
12 Ceiling, LLC (ATC) to perform framing and drywall work on the LDS Tijuana Temple Project
13 but failed to pay ATC in full for its work. After some email negotiations, the parties agreed to
14 settle that debt: Western would pay \$275,000 over the 12 months beginning August 7, 2017.
15 Those 12 months passed without payment, and ATC moves to enforce the settlement agreement
16 and enter judgment in its favor.¹ Magistrate Judge George Foley, Jr. has thoroughly evaluated
17 that request and recommends that I grant it. The deadline for objections to that recommendation
18 was July 12, 2019, and no party has filed an objection to it or moved to extend the deadline to do
19 so. “[N]o review is required of a magistrate judge’s report and recommendation unless
20 objections are filed.”²

21 Accordingly, IT IS HEREBY ORDERED that the June 28, 2019, Report and
22 Recommendation [ECF No. 79] is **ADOPTED in full**; Plaintiff’s Renewed Motion to Enforce
23 Settlement Agreement and Reduce to Judgment [ECF No. 74] is **GRANTED**; and the February
24 12, 2019, Report and Recommendation [ECF No. 76] is **DEEMED WITHDRAWN**.

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26 ¹ ECF No. 74.

27 ² *Schmidt v. Johnstone*, 263 F. Supp. 2d 1219, 1226 (D. Ariz. 2003); *see also Thomas v. Arn*, 474
28 U.S. 140, 150 (1985); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003).

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And with good cause appearing and no reason to delay, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the Clerk of Court is directed to **ENTER FINAL JUDGMENT in favor of Above the Ceiling, LLC, and against Western Architectural Services, LLC in the amount of \$275,000** and CLOSE THIS CASE.

Dated: July 16, 2019



U.S. District Judge Jennifer A. Dorsey