

**UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA**

Atlas Lifting & Rigging, LLC v. Berner

Atlas Lifting · No. 2:23-cv-0808 KJM AC · Decided September 2, 2025

OPINION

(PS) Atlas Lifting & Rigging, LLC v. Berner

PER CURIAM.

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8 UNITED STATES DISTRICT COURT

9 FOR THE EASTERN DISTRICT OF CALIFORNIA

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11 ATLAS LIFTING & RIGGING, LLC, No. 2:23-cv-0808 KJM AC

12 Plaintiff, 13 v. ORDER

14 TREVOR BERNER and SYNERGY

MARKETING AND SALES, INC.,

15 Defendants. 16

17 The matter was referred to a United States Magistrate Judge under Local Rule 302(c)(19). 18
On July 18, 2025, the magistrate judge filed findings and recommendations, which were 19 served
on all parties and which contained notice to all parties that any objections to the findings 20 and
recommendations were to be filed within twenty-one days. ECF No. 24. Neither party has 21 filed
objections to the findings and recommendations. 22 The court presumes that any findings of fact
are correct. See *Orand v. United States*, 23 602 F.2d 207, 208 (9th Cir. 1979). The magistrate
judge’s conclusions of law are reviewed de 24 novo. See *Robbins v. Carey*, 481 F.3d 1143, 1147
(9th Cir. 2007) (“[D]eterminations of law by 25 the magistrate judge are reviewed de novo by
both the district court and [the appellate] court 26 . . .”). Having reviewed the file, the court finds
the findings and recommendations to be 27 supported by the record and by the proper analysis. 28
//// 1 Accordingly, IT IS HEREBY ORDERED that: 2 1. The findings and recommendations filed
July 18, 2025, are adopted in full; 3 2. Plaintiff’s June 3, 2025 motion for default judgment (ECF
No. 22) is granted; 4 3. Judgment is entered against defendant Synergy in the amount of
\$706,243.25; and 5 4. The matter is referred back to the assigned Magistrate Judge for further
proceedings in 6 connection with the claims against pro se defendant Trevor Berner. 7 DATED:
August 29, 2025. 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28