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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

JANE DOE I, et al.,
Plaintiffs,

v.

LIU QI, et al.,
Defendants.

No. C 02-0672 CW (EMC)
No. C 02-0695 CW (EMC)

ORDER ADOPTING THE
MAGISTRATE JUDGE'S
REPORT AND
RECOMMENDATION

PLAINTIFF A, et al.,
Plaintiffs,

v.

XIA DEREN, et al.,
Defendants.

FILED

DEC - 8 2004

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND

Plaintiffs in these two related cases are Falun Gong practitioners who claim that acts of Defendants, local government officials of the People's Republic of China, violated the Alien Tort Claims Act (ATCA) and the Torture Victims Protection Act (TVPA). After Defendants failed to file a responsive pleading, the Clerk entered default. Plaintiffs filed a motion for default judgment in both cases. The Court referred the motions to Magistrate Judge Chen, who issued a Report and Recommendation.


1 Upon the Court's request, the United States Department of
2 State filed a statement of interest in each case, expressing its
3 concerns with the Report and addressing Plaintiffs' objections to
4 the Report. The United States asked the Court to stay this case
5 pending the Supreme Court's forthcoming ruling in Sosa v. Alvarez-
6 Machain, __ U.S. __, 124 S.Ct 2739 (2004), and the Court did so.
7 Then it ordered supplemental briefing from the parties and
8 requested a further statement of interest from the United States in
9 light of Sosa. The Court then referred the matter back to
10 Magistrate Judge Chen for an amended report in the light of Sosa.
11 Plaintiffs filed objections to the Amended Report. Having reviewed
12 the Magistrate Judge's Amended Report and all of the papers filed
13 by the parties and the United States, the Court finds the Report
14 correct, well-reasoned and thorough. The Report adequately
15 considers and properly rejects the arguments advanced by Plaintiffs
16 in their objections. In addition, the Report properly addresses
17 the concerns expressed by the United States.

18 Thus, the Court OVERRULES Plaintiffs' objections and adopts
19 the Amended Report in its entirety. The Court DENIES Plaintiffs'
20 motion for de novo determination of this matter. Judgment shall
21 enter accordingly.

22 IT IS SO ORDERED.

23 Dated:

DEC - 8 2004



CLAUDIA WILKEN
United States District Judge