

The motion at docket 73 was fully briefed. The magistrate judge filed an initial report at docket 178, recommending that the motion be denied. Timely objections were filed by Security, and a response thereto was filed by plaintiff. Magistrate Judge Roberts filed a final report at docket 227 recommending denial of the motion at docket 73.

In reviewing the report of the magistrate judge, this court may “accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate.”³ In reviewing the recommendations from the magistrate judge, this court conducts *de novo* review of all conclusions of law,⁴ and any findings of fact to which objections have been made.⁵ Uncontested findings of fact are reviewed for clear error.⁶

This court has reviewed the papers relevant to the motion at docket 73 pursuant to the standard of review above. The magistrate judge has correctly found the facts, and he has correctly applied the law to the facts. This court adopts his findings of fact and conclusions of law.

For the reasons set out above, the motions at dockets 73 and 76 are **DENIED**.
DATED at Anchorage, Alaska, this 11th day of May 2006.

/s/
JOHN W. SEDWICK
UNITED STATES DISTRICT COURT JUDGE

³28 U.S.C. § 636(b)(1).

⁴*Barilla v. Ervin*, 886 F.2d 1514, 1518 (9th Cir. 1989), *overruled on other grounds by Simpson v. Lear Astronics Corp.*, 77 F.3d 1170, 1174 (9th Cir. 1996).

⁵28 U.S.C. § 636(b)(1).

⁶*Taberer v. Armstrong World Industries, Inc.*, 954 F.2d 888, 906 (3d Cir. 1992).