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

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| PATRICIA WERNER, <p style="text-align: center;">Plaintiff,</p> <p style="text-align: center;">v.</p> ADVANCE NEWHOUSE PARTNERSHIP, LLC, a New York limited liability company d/b/a BRIGHTHOUSE NETWORKS; and BRIGHTHOUSE NETWORKS, <p style="text-align: center;">Defendants.</p> |) Case No.: 1:13-cv-01259 - LJO - JLT)) ORDER ADOPTING THE FINDINGS AND) RECOMMENDATION DISMISSING PLAINTIFF'S) CLAIM FOR RETALIATION IN VIOLATION OF) TITLE VII))))))))) |
|---|---|

Plaintiff Patricia Werner initiated this action by filing a complaint on August 12, 2013 against Advance Newhouse Partnership, LLC and Brighthouse Networks. On December 17, 2013, the Magistrate Judge recommended Plaintiff's claim for retaliation raised in her Third Amended Complaint be dismissed, and that the action proceed only on her claims for gender discrimination and a hostile work environment in violation of Title VII and for violation of the Equal Pay Act. (Doc. 12.)

The Findings and Recommendations provided Plaintiff with fourteen days from the date of service, or until December 31, 2013, to file any objections. To date, Plaintiff has not filed objections to the recommendation that the claim be dismissed. In accordance with the provisions of 28 U.S.C. § 636 (b)(1)(C) and Britt v. Simi Valley United School Dist., 708 F.2d 452, 454 (9th Cir. 1983), this Court has conducted a de novo review of the case. Having carefully reviewed the entire file, the Court finds that the Findings and Recommendations are supported by the record and by proper analysis.

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Accordingly, **IT IS HEREBY ORDERED:**

1. The Findings and Recommendations issued on December 17, 2013, (Doc. 12) are **ADOPTED IN FULL;**
2. Plaintiff's claim for retaliation in violation of Title VII is **DISMISSED;** and
3. The action **SHALL** proceed on Plaintiff's claims for a sexual harassment and hostile work environment in violation of Title VII and violation of the Equal Pay Act.

IT IS SO ORDERED.

Dated: January 6, 2014

/s/ Lawrence J. O'Neill
UNITED STATES DISTRICT JUDGE