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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

LAURA LESKINEN,

 Plaintiff,

 v.

UNITED STATES DEPARTMENT OF
AGRICULTURE, et al.,

 Defendants.

No. 2:18-cv-453-TLN-KJN

ORDER

On June 14, 2018, the magistrate judge filed findings and recommendations (ECF No. 20), which were served on the parties and which contained notice that any objections to the findings and recommendations were to be filed within fourteen (14) days. On June 27, 2018, Plaintiff filed objections to the findings and recommendations (ECF No. 22), and on July 13, 2018, Defendants filed a response to those objections, all of which have been considered by the Court.

This Court reviews de novo those portions of the proposed findings of fact to which an objection has been made. 28 U.S.C. § 636(b)(1); *McDonnell Douglas Corp. v. Commodore Business Machines*, 656 F.2d 1309, 1313 (9th Cir. 1981); *see also Dawson v. Marshall*, 561 F.3d 930, 932 (9th Cir. 2009). As to any portion of the proposed findings of fact to which no objection has been made, the Court assumes its correctness and decides the matter on the applicable law. *See Orand v. United States*, 602 F.2d 207, 208 (9th Cir. 1979). The magistrate judge’s

1 conclusions of law are reviewed de novo. *See Britt v. Simi Valley Unified School Dist.*, 708 F.2d
2 452, 454 (9th Cir. 1983).

3 The Court has reviewed the applicable legal standards and, good cause appearing,
4 concludes that it is appropriate to adopt the findings and recommendations in full. Accordingly,
5 IT IS HEREBY ORDERED that:

6 1. The findings and recommendations (ECF No. 20) are ADOPTED IN FULL.

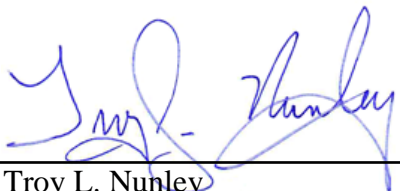
7 2. Defendants' motion to dismiss (ECF No. 11) is GRANTED IN PART.

8 3. All claims and Defendants are DISMISSED WITHOUT LEAVE TO AMEND, except
9 that Plaintiff's Title VII claim against Defendant Sonny Perdue, in his official capacity as the
10 Secretary of the USDA, shall proceed.

11 4. Defendant Perdue shall answer the complaint as narrowed within twenty-one (21) days
12 of this Order.

13 5. Plaintiff's motion for preliminary relief (ECF No. 13) is DENIED.

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15 Dated: September 13, 2018

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19 Troy L. Nunley
20 United States District Judge
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