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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

Brenna O'Brien,

Plaintiff

v.

Wynn Las Vegas, LLC,

Defendant

Case No. 2:17-cv-02801-JAD-DJA

consolidated with 2:17-cv-02802-JAD-CWH

**Order Adopting Report and
Recommendation and Dismissing
Complaint with Leave to Amend
by October 21, 2019**

[ECF No. 4]

9 Pro se plaintiff Brenna O'Brien brings this employment-discrimination case based on
10 events that she claims occurred while she was a server at the La Cave restaurant inside the Wynn
11 Las Vegas Resort. Magistrate Judge Hoffman screened O'Brien's complaint and recommends
12 that I dismiss it with leave to amend.¹ He further recommends that I consolidate case number
13 2:17-cv-02802-JAD-CWH into this one. The deadline for objections to that recommendation
14 passed without objection or any request to extend the deadline to file one. "[N]o review is
15 required of a magistrate judge's report and recommendation unless objections are filed."²

16 IT IS THEREFORE ORDERED that the magistrate judge's report and recommendation
17 **[ECF No. 4] is ADOPTED** in full;

18 IT IS FURTHER ORDERED that case number **2:17-cv-02802-JAD-CWH** is
19 **CONSOLIDATED into this one with this case as the lead case**, and the motion for leave to
20 proceed in forma pauperis in that case **[ECF No. 1 in 2:17-cv-02802-JAD-CWH] is DENIED**

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¹ ECF No. 4.

² *Schmidt v. Johnstone*, 263 F. Supp. 2d 1219, 1226 (D. Ariz. 2003); *see also Thomas v. Arn*, 474 U.S. 140, 150 (1985); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003).

1 as moot. All future filings should be made in this case—2:17-cv-02801-JAD-CWH—only, as
2 this is now the lead case;

3 IT IS FURTHER ORDERED that O’Brien’s **complaint is DISMISSED** without
4 prejudice and with leave to amend by October 21, 2019, if she can cure the deficiencies outlined
5 in the Report and Recommendation [ECF No. 4]. If O’Brien chooses to file an amended
6 complaint, she must file the “Instructions for amendment” on pages 5–6 of the Report and
7 Recommendation. **If O’Brien does not file an amended complaint by October 21, 2019, this**
8 **case will be dismissed and closed without further notice.**

9 The Clerk of Court is directed to **SEND O’Brien a copy of the Report and**
10 **Recommendation [ECF No. 4] along with this order.**

11 Dated: September 30, 2019

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14 U.S. District Judge Jennifer A. Dorsey
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