

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON  
MEDFORD DIVISION

TALK RADIO NETWORK ENTERPRISES  
et al.,

Plaintiffs,

v.

CUMULUS MEDIA INC., et al.,

Defendants.

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1:16-cv-00609-CL

ORDER

**AIKEN, District Judge:**

On September 13, 2016, Magistrate Judge Mark D. Clarke filed a Findings and Recommendation (#38), and the matter is now before this Court. See 28 U.S.C. § 636(b)(1)(B), Fed. R. Civ. P. 72(b). Plaintiffs have filed Objections (#40), Defendants have responded to

Plaintiffs' Objections (#41) and I have reviewed the file of this case *de novo*. 28 U.S.C. § 636(b)(1); McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc., 656 F.2d 1309, 1313 (9th Cir. 1981).

I have given this matter *de novo* review. I find no error. Accordingly, I ADOPT the Findings and Recommendation (#38). Defendants' Motion to Dismiss (#12) is GRANTED. Plaintiffs' first, second, third, fourth, fifth, sixth, and twelfth claims are DISMISSED with prejudice. Plaintiffs' seventh, eighth, ninth, tenth, eleventh, fourteenth, and fifteenth claims are dismissed with leave to amend. Plaintiffs' have withdrawn their thirteenth claim.

If Plaintiffs wish to file an amended complaint, they must do so within thirty (30) days of the date of this Order. Failure to file an amended complaint within the allotted time will result in the entry of a judgment of dismissal.

It is so ORDERED and DATED this 9<sup>th</sup> day of November, 2016.



ANN AIKEN  
U.S. DISTRICT JUDGE