

**IN THE UNITED STATES DISTRICT COURT**  
**FOR THE DISTRICT OF OREGON**

**CLOUD FOUNDATION**, a non-profit Colorado Corporation; **GINGER KATHRENS**; and **DENIZ BOLBOL**,

Plaintiffs,

v.

**DEB HAALAND**, Secretary, Department of the Interior, in her official capacity; **TRACY STONE-MANNING**, Director, Bureau of Land Management, in her official capacity; **BARRY BUSHUE**, State Director, Oregon-Washington Bureau of Land Management, in his official capacity; and **WAYNE MONGER**, District Manager, BLM Vale District Office, in his official capacity,

Defendants.

Case No. 2:23-cv-01154-HL

**OPINION AND ORDER ADOPTING  
JUDGE HALLMAN'S FINDINGS AND  
RECOMMENDATION**

**IMMERGUT, District Judge.**

This Court has reviewed de novo the Findings and Recommendation (“F&R”), ECF 26, to which Defendants objected. For the following reasons, the Court ADOPTS Judge Hallman’s F&R.

## LEGAL STANDARDS

Under the Federal Magistrates Act (“Act”), as amended, the court may “accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1)(C). If a party objects to a magistrate judge’s F&R, “the court shall make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made.” *Id.* But the court is not required to review, de novo or under any other standard, the factual or legal conclusions of the F&R to which no objections are addressed. *See Thomas v. Arn*, 474 U.S. 140, 149–50 (1985); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc). Nevertheless, the Act “does not preclude further review by the district judge, sua sponte” whether de novo or under another standard. *Thomas*, 474 U.S. at 154.

## CONCLUSION

This Court has reviewed de novo Judge Hallman’s F&R, to which Defendants objected in its entirety. Judge Hallman’s F&R, ECF 26, is adopted in full. This Court DENIES Defendants’ Motion to Dismiss, ECF 17.

**IT IS SO ORDERED.**

DATED this 14th day of June, 2024.

/s/ Karin J. Immergut  
Karin J. Immergut  
United States District Judge