

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

NICOLE WHITLEY,

Plaintiff,

Civil No. 07-1114-AC

v.

ORDER

The CITY OF PORTLAND, and  
ROBERT DAY, in his individual  
capacity as a police officer  
for the Portland Police Bureau,

Defendants.

MARSH, Judge.

Magistrate Judge John V. Acosta filed his Findings and Recommendation (#171) on May 20, 2009. The matter is now before me pursuant to 28 U.S.C. § 636(b)(1)(B) and Fed. R. Civ. P. 72(b). When either party objects to any portion of the Magistrate's Findings and Recommendation, the district court must make a de novo


determination of that portion of the Magistrate's report. See 28 U.S.C. § 636(b)(1)(C); McDonnell Douglas Corp. v. Commodore Business Machines, Inc., 656 F.2d 1309, 1313 (9th Cir. 1981), cert. denied, 455 U.S. 920 (1982).

Plaintiff timely filed numerous objections to portions of the Findings and Recommendation. Defendants timely filed a response objecting to the Magistrate's determination that an issue of fact prevents summary judgment on plaintiff's retaliation claims under Title VII and Or. Rev. Stat. 659.030(f). Therefore, I have conducted a de novo review of this case. Having thoroughly examined the parties' lengthy objections, I conclude that they are without merit and I find no error.

Accordingly, I ADOPT the Findings and Recommendation (#171) of Magistrate Judge John V. Acosta.

IT IS SO ORDERED.

DATED this 12 day of AUGUST, 2009.

  
Malcolm F. Marsh  
United States District Judge