

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

WONDWESEN TEFERA,
Plaintiff,

Civil No. 07-1413-ST
ORDER

v.

CITY CENTER PARKING,
Defendant.

MARSH, Judge.

Magistrate Judge Stewart filed her Findings and Recommendation on February 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).

Defendant has filed timely objections. I have, therefore, given the file of this case a *de novo* review.

I find no error and, therefore, I ADOPT the Findings and Recommendation #48 of Magistrate Judge Stewart.

Accordingly, defendant City Center Parking's Motion for Summary Judgment (#31) is **DENIED** as to Plaintiff's First and Second Claims for Relief alleging discrimination based on a denial of vacation leave and on a hostile work environment or constructive discharge, and as to the Sixth Claim for Relief based on a hostile work environment, and is **GRANTED** in all other respects.

IT IS SO ORDERED.

DATED this 22 day of April, 2009.

/s/ Malcolm F. Marsh
Malcolm F. Marsh
United States District Judge