

FILED 10 JUL 26 11 58 USDC-ORP

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
PORTLAND DIVISION

TONI L. TOOHEY, individually, and as
Personal Representative of the Heirs and the
Estate of FRANK R. TOOHEY, Deceased,

Plaintiff,

ORDER

v.

Civil No. 09-88-ST

THE WYNDHAM WORLDWIDE
CORPORATION HEALTH & WELFARE
PLAN, EMPLOYEE BENEFITS
COMMITTEE WYNDHAM WORLDWIDE
CORPORATION, LIFE INSURANCE
COMPANY OF NORTH AMERICA, and
WYNDHAM WORLDWIDE
CORPORATION,

Defendants.

HAGGERTY, District Judge:

Magistrate Judge Stewart referred to this court a Findings and Recommendation [97] in this matter. The Magistrate Judge recommends that plaintiffs' Motion for Summary Judgment [69] and defendants' Motion for Summary Judgment [73] be granted in part and denied in part. No objections were filed, and the case was referred to this court.

ORDER - 1

The matter is now before me pursuant to 28 U.S.C. § 636(b)(1)(B) and Fed. R. Civ. P. 72(b). When no timely objection is filed, the court need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation of the Magistrate.

Campbell v. U.S. Dist. Ct., 501 F.2d 196 (9th Cir. 1974).

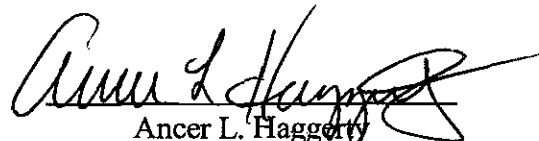
No clear error appears on the face of the record. This court adopts the Findings and Recommendation.

CONCLUSION

The Findings and Recommendation [97] is ADOPTED.

IT IS SO ORDERED.

Dated this 26 day of July, 2010.


Ancer L. Haggerty
United States District Judge