

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

STERLING SAVINGS BANK, a
Washington stock savings bank,

09-CV-452-AC

Plaintiff,

ORDER

v.

JHM PROPERTIES, LLC, an
Oregon limited liability
company; JAMES GEORGE; JAY
MOSES; and MARY JO MOSES,

Defendants.

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BROWN, Judge.

Magistrate Judge John V. Acosta issued Findings and
Recommendation (#54) on February 17, 2010, in which he recommends
the Court grant Plaintiff's Motion (#30) for Summary Judgment.
Defendants filed timely Objections to the Findings and
Recommendation. The matter is now before this Court pursuant to
28 U.S.C. § 636(b)(1) and Federal Rule of Civil Procedure 72(b).

When any party objects to any portion of the Magistrate
Judge's Findings and Recommendation, the district court must make
a *de novo* determination of that portion of the Magistrate Judge's
report. 28 U.S.C. § 636(b)(1). See also *United States v. Reyna-
Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (*en banc*); *United
States v. Bernhardt*, 840 F.2d 1441, 1444 (9th Cir. 1988).

In their Objections, Defendants reiterate the arguments in

their Answers and Memoranda in Opposition to Plaintiff's Motion for Summary Judgment. This Court has carefully considered Defendants' Objections and concludes they do not provide a basis to modify the Findings and Recommendation. The Court also has reviewed the pertinent portions of the record *de novo* and does not find any error in the Magistrate Judge's Findings and Recommendation.

CONCLUSION

The Court **ADOPTS** Magistrate Judge Acosta's Findings and Recommendation (#54) and, therefore, **GRANTS** Plaintiff's Motion (#30) for Summary Judgment.

IT IS SO ORDERED.

DATED this 4th day of May, 2010.



ANNA J. BROWN
United States District Judge