

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

JEFFREY GIULIO, individually; and  
JEFFREY GIULIO, a conservator of  
the estate of T.G., a minor child,

No. CV. 09-481-AC

Plaintiff,

ORDER

v.

BV CENTERCAL, LLC, a Delaware  
corporation; CENTERCAL ASSOCIATES,  
LLC, a Delaware corporation; CENTERCAL  
PROPERTIES, LLC, a Delaware corporation;  
IPC INTERNATIONAL CORPORATION,  
an Illinois corporation, CITY OF TUALATIN,  
a municipal corporation; and BRAD KING, an  
individual,

Defendants.

Susan K. Lain  
HOHBACH LAW FIRM, LLC  
4000 Kruse Way Place  
Building 2  
Suite 340  
Lake Oswego, OR 97035

Attorney for Plaintiff

1 - ORDER

Wm Kelly Olson  
MITCHELL LANG & SMITH  
2000 One Main Place  
101 SW Main Street  
Portland, OR 97204-3230

Attorney for Defendant BV CenterCal, LLC

Steven A. Kraemer  
Mark C. Sherman  
HOFFMAN HART & WAGNER, LLP  
1000 SW Broadway  
20th Floor  
Portland, OR 97205

Attorneys for Defendant CenterCal Properties, LLC

Lee S. Aronson  
SCHULTE ANDERSON DOWNES ARONSON BITTNER, PC  
811 SW Naito Parkway  
Suite 500  
Portland, OR 97204-3379

Attorney for Defendant IPC International Corporation

David C. Lewis  
MILLER & WAGNER, LLP  
2210 NW Flanders Street  
Portland, OR 97210

Attorney for Defendants City of Tualatin, Oregon and Brad King

HERNANDEZ, District Judge:

Magistrate Judge John V. Acosta issued a Findings and Recommendation (doc. #99) on August 3, 2011, in which he recommends that I grant the motions for summary judgment (doc. #29 and #33) filed by CenterCal Properties, LLC and BV CenterCal, LLC, respectively. The Magistrate Judge also issued a Findings and Recommendation (doc. #100) the same day, August

3, 2011, in which he recommends that I grant the motion for summary judgments (doc. #40) filed by IPC International Corporation. The matter is now before me pursuant to 28 U.S.C. § 636(b)(1)(B) and Federal Rule of Civil Procedure 72(b).

Because no objections to the Magistrate Judge's Findings and Recommendations were timely filed, I am relieved of my obligation to review the record de novo. United States v. Reyna-Tapia, 328 F.3d 1114, 1121 (9th Cir. 2003); see also United States v. Bernhardt, 840 F.2d 1441, 1444 (9th Cir. 1988) (de novo review required only for portions of Magistrate Judge's report to which objections have been made). Having reviewed the legal principles de novo, I find no error.

#### CONCLUSION

The court ADOPTS the Magistrate Judge's Findings and Recommendations (doc. #99 and #100). Accordingly, Defendants' motions for summary judgment (doc. #29, #33, and #40) are GRANTED.

IT IS SO ORDERED.

DATED this 6<sup>th</sup> day of September, 2011.

/s/ Marco A. Hernandez  
Marco A. Hernandez  
United States District Judge