

UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

PORTLAND DIVISION

PALAZZO VINTAGE HOMES, LLC, an
Oregon company, and PALAZZO VINTAGE
REPRODUCTION HOMES, LLC, an
Oregon company,

CV 09-1005-JE

OPINION AND ORDER

Plaintiffs,

v.

URBAN HOUSING DEVELOPMENT,
LLC, an Oregon company, CONCEPT
DESIGN AND ASSOCIATES, an Oregon
business, STEWARDSHIP REALTY, LLC,
an Oregon company, and VLADIMIR
OZERUGA, an individual,

Defendants.

REDDEN, Judge:

On August 25, 2010, Magistrate Judge John Jelderks filed his Findings and


Recommendation (doc. 73) that the court deny both Defendants' motion to dismiss for lack of prosecution (doc. 45), and their motion for alternative sanctions (doc. 45-1).

The matter is now before me. See 28 U.S.C. § 636(b)(1)(A); Fed. R. Civ. P. 72(b). Neither party timely filed objections. This relieves me of my obligation to review Magistrate Judge Jelderks' factual findings de novo. See 28 U.S.C. § 636(b)(1)(C); Simpson v. Lear Astronics Corp., 77 F.3d 1170, 1174-75 (9th Cir. 1996). Having reviewed the legal principles de novo, I find no error.

Accordingly, I ADOPT Magistrate Judge Jerderks' Findings and Recommendation (doc. 73) as my own opinion. Defendants' motion to dismiss for lack of prosecution (doc. 45) is DENIED. Defendants' motion for alternative sanctions (doc. 45-1) is DENIED.

IT IS SO ORDERED.

DATED this 15 day of September, 2010.



James A. Redden
United States District Judge