

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

CARL DAUENHAUER and LORES  
DAUENHAUER, husband and wife,  
also doing business as  
DAUENHAUER FARMS with an  
assumed name HDW and HAUER OF  
THE DAUEN, INC., an Oregon  
corporation with HDW,

3:11-CV-01436-ST

ORDER

Plaintiffs,

v.

COLUMBIA RIVER BANK, an  
Oregon bank corporation and  
COLUMBIA STATE BANK, a  
banking corporation,

Defendants.

BROWN, Judge.

Magistrate Judge Janice M. Stewart issued Findings and  
Recommendation (#24) on February 22, 2012, in which she

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recommended the Court deny Plaintiffs' Motion (#9) to Remand. Plaintiffs 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 (9<sup>th</sup> Cir. 2003) (*en banc*); *United States v. Bernhardt*, 840 F.2d 1441, 1444 (9<sup>th</sup> Cir. 1988).

In their Objections, Plaintiffs reiterate the arguments contained in their Motion to Remand, Reply in support of their Motion to Remand, and stated at oral argument. This Court has carefully considered Plaintiffs' 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.

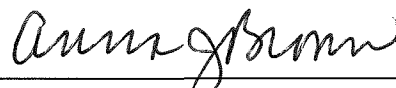
#### **CONCLUSION**

The Court **ADOPTS** Magistrate Judge Stewart's Findings and Recommendation (#24) and **DENIES** Plaintiffs' Motion (#9) to

Remand.

IT IS SO ORDERED.

DATED this 24<sup>th</sup> day of April, 2012.



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ANNA J. BROWN  
United States District Judge