

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

ROLEX WATCH U.S.A., INC.,

3:12-CV-00736-PK

Plaintiff,

ORDER

v.

LELAND STANFORD HOFFMAN, JR.,

Defendant.

BROWN, Judge.

Magistrate Judge Paul Papak issued Findings and Recommendation (#28) on July 30, 2012, in which he recommends the Court deny as moot Plaintiff Rolex Watch U.S.A., Inc.'s Motion (#15) to Dismiss and deny Defendant Leland Stanford Hoffman, Jr.'s Motion (#18) for Extension of Time. The matter is now before this Court pursuant to 28 U.S.C. § 636(b)(1)(B) and Federal Rule of Civil Procedure 72(b).

1 - ORDER

Because no objections to the Magistrate Judge's Findings and Recommendation were timely filed, this Court is relieved of its obligation to review the record *de novo*. *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003)(*en banc*). See also *United States v. Bernhardt*, 840 F.2d 1441, 1444 (9th Cir. 1988). Having reviewed the legal principles *de novo*, the Court does not find any error.

CONCLUSION

The Court **ADOPTS** Magistrate Judge Papak's Findings and Recommendation (#28). Accordingly, the Court construes Defendant's Counterclaim merely as notice that Defendant intends to seek attorneys' fees if he is the prevailing party in this matter and, therefore, **DENIES as moot** Plaintiff's Motion (#15) to Dismiss and **DENIES** Defendant's Motion (#18) for Extension of Time.

IT IS SO ORDERED.

DATED this 22nd day of October, 2012.

/s/ Anna J. Brown

ANNA J. BROWN
United States District Judge