

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

GROVE CITY VETERINARY
SERVICE, LLC, an Ohio limited
liability company; HEATHER M.
FEES, DVM, an individual;
and HEATHER FEES, DVM, LLC,
an Ohio limited liability
company,

3:13-CV-02276-AC

ORDER

Plaintiffs,

v.

CHARTER PRACTICES
INTERNATIONAL LLC, a Delaware
limited liability company,

Defendant.

BROWN, Judge.

Magistrate Judge John V. Acosta issued Findings and Recommendation (#39) on May 15, 2014, in which he recommends this Court grant Defendant's Motion (#18) to Dismiss, dismiss Count III of Plaintiffs' Complaint without prejudice, and grant in part and deny in part Plaintiffs' Motion (#29) for Leave to File First Amended Complaint. 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*. See *Dawson v. Marshall*, 561 F.3d 930, 932 (9th Cir. 2009). See also *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003)(*en banc*). Having reviewed the legal principles *de novo*, the Court does not find any error.

CONCLUSION

The Court **ADOPTS** Magistrate Judge Acosta's Findings and Recommendation (#39). Accordingly, the Court **GRANTS** Defendant's Motion (#18) to Dismiss and **DISMISSES** Count III of Plaintiffs' Complaint **without prejudice**. The Court also **GRANTS in part** and **DENIES in part** Plaintiffs' Motion (#29) for Leave to File First Amended Complaint. Plaintiffs may file a First Amended Complaint for review by the Magistrate Judge as set out in the Findings and Recommendation **no later than July 31, 2014**.

IT IS SO ORDERED.

DATED this 9th day of July, 2014.

/s/ Anna J. Brown

ANNA J. BROWN
United States District Judge