

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

MICHAEL G. SCHWERN,

No. 3:14-cv-146-PK

Plaintiff,

OPINION & ORDER

v.

PATRICK PLUNKETT,

Defendant.

HERNÁNDEZ, District Judge:

Magistrate Judge Paul Papak issued a Findings and Recommendation [99] on July 5, 2017, in which he recommends that the Court grant Defendant's motion for attorney fees [87] and bill of costs [88].

Because neither party timely filed an objection to the Magistrate Judge's Findings and Recommendation, the 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) (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, the Court finds no error.

#### CONCLUSION

The Court ADOPTS Magistrate Judge Papak's Findings & Recommendation [99].

Accordingly, Defendant's motion for attorney fees [87] and bill of costs [88] are granted and Defendant shall be awarded attorney fees in the amount of \$37,521.18 and his costs in the amount of \$ 952.03.

IT IS SO ORDERED.

DATED this 27 day of August, 2017.



MARCO A. HERNÁNDEZ  
United States District Judge