

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

MICHAEL G. SCHWERN,

No. 3:14-cv-00146-PK

Plaintiff,

ORDER

v.

NÓIRÍN PLUNKETT,

Defendant.

Bear Wilner-Nugent  
Counselor & Attorney at Law LLC  
620 SW 5th Avenue, Suite 1008  
Portland, OR 97204

Attorney for Plaintiff

Erin K. Olson  
Law Office of Erin Olson, PC  
2014 NE Broadway Street  
Portland, OR 97232-1511

Attorney for Defendant

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1 - ORDER

HERNÁNDEZ, District Judge:

Magistrate Judge Papak issued a Findings and Recommendation [21] on April 22, 2014, in which he recommends that the Court deny Plaintiff's motion to strike pursuant to ORS § 31.150. Plaintiff timely filed objections to the Findings and Recommendation. The matter is now before me 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); Dawson v. Marshall, 561 F.3d 930, 932 (9th Cir. 2009); United States v. Reyna-Tapia, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc).

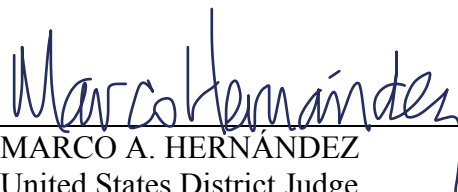
I have carefully considered Plaintiff's objections and conclude that the objections do not provide a basis to modify the recommendation. I have also reviewed the pertinent portions of the record *de novo* and find no error in the Magistrate Judge's Findings and Recommendation.

#### CONCLUSION

The Court adopts Magistrate Judge Papak's Findings and Recommendation [21]. Therefore, Plaintiff's motion to strike [4] pursuant to ORS § 31.150 is denied and the automatic stay of discovery is lifted.

IT IS SO ORDERED.

DATED this 7 day of July, 2014.

  
MARCO A. HERNÁNDEZ  
United States District Judge