

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

KELLY J. RICHARDSON, and JAMES  
POWELL, personally and as next friend for  
I.R., a minor, and S.P., a minor,

Plaintiffs,

v.

EMILIE SCHUBERT, in her individual  
capacity, GINGER VAN WINKLE, in  
her individual capacity, ERIN WIRTZ,  
in her individual capacity, JENNIE SMITH,  
in her individual capacity, KRISTIN LEMON,  
in her individual capacity, CARLOS CRUTCH,  
in his individual capacity, LINDSEY VERNOOY,  
in her individual capacity, DANIELLE SANTILI-DAY,  
in her individual capacity,

Defendants.

HERNÁNDEZ, District Judge:

Magistrate Judge Stewart issued a Findings and Recommendation [40] on November 14, 2014, in which she recommends that this Court deny Defendants' Motion to Dismiss [28]. The

No 3:14-cv-01027-ST

ORDER

matter is now before me pursuant to 28 U.S.C. § 636(b)(1)(B) and Federal Rule of Civil Procedure 72(b).

When any party objects to any portion of the Magistrate Judge's Findings & 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 Defendants' objections and conclude there is no basis to modify the Findings & Recommendation. I have also reviewed the pertinent portions of the record *de novo* and find no other errors in the Magistrate Judge's Findings & Recommendation.

#### CONCLUSION

The Court ADOPTS Magistrate Judge Stewart's Findings & Recommendation [40]. Accordingly, Defendants' Motion to Dismiss [28] is denied.

IT IS SO ORDERED.

DATED this 29 day of Dec., 2014.

  
MARCO A. HERNÁNDEZ  
United States District Judge