

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

HILARY ANDRIESIAN, on behalf  
of herself and all others similarly situated,

Plaintiff,

No. 3:14-cv-01600-ST

v.

COSMETIC DERMATOLOGY, INC.,  
a Florida corporation,

ORDER

Defendant.

HERNÁNDEZ, District Judge:

Magistrate Judge Stewart issued a Findings and Recommendation [25] on March 3, 2015, in which she recommends that this Court grant in part and deny in part Defendant's Motion to Dismiss [15]. The matter is now before me pursuant to 28 U.S.C. § 636(b)(1)(B) and Federal Rule of Civil Procedure 72(b).

Defendant filed timely objections to the Magistrate Judge's Findings & Recommendation. 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 Defendant's 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 [25]. Therefore, Defendant's Motion to Dismiss [15] is granted as to the alleged violations of ORS 646.608(1)(f), (t) and (u) in the First Claim; granted as to the Second Claim; and otherwise denied.

IT IS SO ORDERED.

DATED this 28 day of April, 2015.

  
MARCO A. HERNÁNDEZ  
United States District Judge