

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

FOUNDATION FITNESS PRODUCTS,
LLC, an Oregon limited
liability company,

3:15-CV-00564-SB

3:15-CV-00565-SB

ORDER

Plaintiff,

v.

FREE MOTION FITNESS, a
foreign corporation,

Defendant.

BROWN, Judge.

Magistrate Judge Stacie F. Beckerman issued Findings and Recommendation (#23) on May 29, 2015, in which she recommends the Court deny Defendant's Amended Motion (#11) to Dismiss for *Forum Non Conveniens* and grant Plaintiff's Motion (#20) for Leave to File Second Amended Complaint. Defendant filed timely Objections to the Findings and Recommendation. The matter is now before this Court pursuant to 28 U.S.C. § 636(b)(1) and Federal Rule of Civil Procedure 72(b).

1 - ORDER

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). See also *Dawson v. Marshall*, 561 F.3d 930, 932 (9th Cir. 2009).

In its Objections Defendant reiterates the arguments contained in its Amended Motion to Dismiss, its Reply to its Amended Motion to Dismiss, and stated at oral argument. This Court has carefully considered Defendant's Objections and concludes they do not provide a basis to modify the Findings and Recommendation. The Court also has reviewed the pertinent portions of the record *de novo* and does not find any error in the Magistrate Judge's Findings and Recommendation.

CONCLUSION

The Court **ADOPTS** Magistrate Judge Beckerman's Findings and Recommendation (#23), **DENIES** Defendant's Amended Motion (#11) to Dismiss for *Forum Non Conveniens*, and **GRANTS** Plaintiff's Motion (#20) for Leave to File Second Amended Complaint.

IT IS SO ORDERED.

DATED this 3rd day of August, 2015.



ANNA J. BROWN
United States District Judge