

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
PORTLAND DIVISION

**PEDRO DOMION, ASHLEY DOMION,
AND ASHLEY DOMION AS
GUARDIAN AD LITEM FOR
NICHOLAS DOMION**, a minor,

Plaintiff,

v.

TRIQUINT SEMICONDUCTOR, INC., a
Delaware Corporation,

Defendant.

No. 3:16-cv-01852-SB

OPINION AND ORDER

MOSMAN, J.,

On November 2, 2017, Magistrate Judge Stacie Beckerman issued her Findings and Recommendation (F&R) [45], recommending that Defendant's Motion to Dismiss [36] should be denied. Defendant TriQuint Semiconductor filed Objections [47] and Plaintiffs responded [51]. I DENY Defendant TriQuint Semiconductor Motion for Leave to File a Reply in Support of its Objections to Magistrate Judge's Findings and Recommendations [52].

DISCUSSION

The magistrate judge makes only recommendations to the court, to which any party may file written objections. The court is not bound by the recommendations of the magistrate judge,

but retains responsibility for making the final determination. The court is generally required to make a de novo determination regarding those portions of the report or specified findings or recommendation as to which an objection is made. 28 U.S.C. § 636(b)(1)(C). However, the court is not required to review, de novo or under any other standard, the factual or legal conclusions of the magistrate judge as to those portions of the F&R to which no objections are addressed. *See Thomas v. Arn*, 474 U.S. 140, 149 (1985); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003). While the level of scrutiny under which I am required to review the F&R depends on whether or not objections have been filed, in either case, I am free to accept, reject, or modify any part of the F&R. 28 U.S.C. § 636(b)(1)(C).

Upon review, I agree with Judge Beckerman's recommendation and I ADOPT the F&R [45] as my own opinion. Defendant's Motion to Dismiss [36] is DENIED.

IT IS SO ORDERED.

DATED this 13 day of February, 2018.

/s/ Michael W. Mosman

MICHAEL W. MOSMAN
Chief United States District Judge