

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

DAVID WAYNE CRITTENDEN,
Plaintiff,

No. 3:17-cv-00364-SB
ORDER

v.

NAVIENT SOLUTIONS, LLC,
Defendant.

HERNÁNDEZ, District Judge:

Magistrate Judge Stacie Beckerman issued a Findings and Recommendation [19] on September 25, 2017, in which she recommends that the Court grant Defendant's motion to compel arbitration [13]. Plaintiff brings this action pro se against Defendant, his student loan servicer, alleging claims for violations of the Fair Credit Reporting Act, 15 U.S.C. §§ 1681–1681x, the Fair Debt Collection Practices Act, 15 U.S.C. §§ 1692–1692p, as well as common law defamation and negligence claims.

Because neither party timely filed an objection to the Magistrate Judge’s Findings and Recommendation, the Court is relieved of its obligation to review the record de novo. *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc); see also *United States v. Bernhardt*, 840 F.2d 1441, 1444 (9th Cir. 1988) (de novo review required only for portions of Magistrate Judge’s report to which objections have been made). Having reviewed the legal principles de novo, the Court finds no error.

CONCLUSION

The Court ADOPTS Magistrate Judge Beckerman’s Findings & Recommendation [19]. Accordingly, Defendant’s motion to compel arbitration [13] is granted. However, the Court MODIFIES the F&R’s recommendation to stay proceedings pending arbitration; instead, the Court orders that this case be dismissed. See *Johnmohammadi v. Bloomingdale's, Inc.*, 755 F.3d 1072, 1073–74 (9th Cir. 2014) (holding that a district court may dismiss an action outright instead of issuing a stay where “the court determines that all of the claims raised in the action are subject to arbitration”).

IT IS SO ORDERED.

DATED this 28 day of November, 2017.



MARCO A. HERNÁNDEZ
United States District Judge