

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

ERIC MOUTAL and ANDREA
NEWMAN,

No. 3:17-cv-01444-SB

Plaintiffs,

v.

EXEL, INC.,

ORDER

Defendant.

HERNANDEZ, District Judge:

Magistrate Judge Beckerman issued a Findings & Recommendation (#16) on February 2, 2018, in which she recommends the Court deny Defendants' motion to dismiss. Defendant has timely filed objections to the Findings & Recommendation. The matter is now before me pursuant to 28 U.S.C. § 636(b)(1) 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).

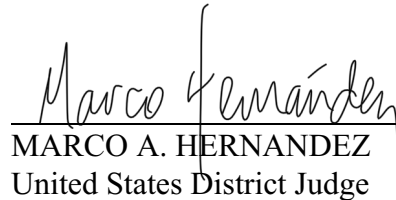
I have carefully considered Defendant's objections and conclude there is no basis to modify the Findings & Recommendation. I have also reviewed the pertinent portions of the record *de novo* and find no other errors in the Magistrate Judge's Findings & Recommendation.

CONCLUSION

The Court ADOPTS Magistrate Judge Beckerman's Findings & Recommendation [16], and therefore, Defendant's motion to dismiss Plaintiffs' punitive damages allegations [7] is denied.

IT IS SO ORDERED.

DATED this 19th day of April, 2018.


MARCO A. HERNANDEZ
United States District Judge