

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., a foreign corporation,

ORDER

Defendant.

HERNÁNDEZ, District Judge:

Magistrate Judge Beckerman issued a Findings and Recommendation [45] on December 21, 2018, in which she recommends that the Court deny Defendant's Motion for Summary Judgment on Punitive Damages Claim [28]. The matter is now before the Court 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).

The Court has carefully considered Defendant's objections and concludes there is no basis to modify the Findings & Recommendation. The Court also reviewed the pertinent portions of the record *de novo* and finds no other errors in the Magistrate Judge's Findings & Recommendation.

#### CONCLUSION

The Court adopts Magistrate Judge Beckerman's Findings and Recommendation [45]. Accordingly, Defendant's Motion for Summary Judgment on Punitive Damages Claim [28] is denied.

IT IS SO ORDERED.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

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MARCO A. HERNÁNDEZ  
United States District Judge