

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

**CHRISTINA GRANT,**

Plaintiff,

v.

No. 3:18-cv-00179-YY

OPINION AND ORDER

**OREGON CITY SCHOOL  
DISTRICT NO. 62; CHERYL  
HOWELL; JOHN OGDEN; and  
LAURA POORE,**

Defendants.

**MOSMAN, J.,**

On April 27, 2018, Magistrate Judge Youlee Yim You issued her Findings and Recommendation (F&R) [28], recommending that Defendants' Motion to Dismiss [15] and Motion for the Imposition of Sanctions [19] should be DENIED. Defendants filed objections [30]. Plaintiff did not respond.

**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 You's recommendation and I ADOPT the F&R [28] as my own opinion. Defendants' Motion to Dismiss [15] and Motion for the Imposition of Sanctions [19] are DENIED. In addition, I order the two cases in question (3:16-cv-02202-YY, 3:18-cv-00179-YY) CONSOLIDATED. 3:16-cv-02202-YY shall be the lead case.

IT IS SO ORDERED.

DATED this 20 day of June, 2018.

  
MICHAEL W. MOSMAN  
Chief United States District Judge