

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

SHANNON HENSLEY and **KAYLA ROUSH**, individually and on behalf of all similarly situated,

Case No. 3:18-cv-00325-SB

OPINION AND ORDER

Plaintiffs,

v.

ULTA SALON, COSMETICS & FRAGRANCE, INC., a foreign corporation, dba Ulta Beauty,

Defendant.

MOSMAN, J.,

On May 4, 2018, Magistrate Judge Stacie F. Beckerman issued her Findings and Recommendation (F&R) [13], recommending that Plaintiffs' Motion to Remand [6] should be GRANTED and this matter remanded to the Multnomah County Circuit Court. No objections were filed.

DISCUSSION

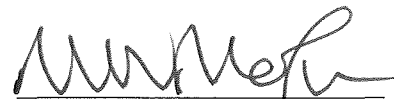
The magistrate judge makes only recommendations to the court, to which any party may file written objections. The court is not bound by the recommendations of the magistrate judge, but retains responsibility for making the final determination. The court is generally required to make a de novo determination 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 [13] as my own opinion. Plaintiffs' Motion to Remand [6] is GRANTED and this matter is remanded to the Multnomah County Circuit Court.

IT IS SO ORDERED.

DATED this 29 day of May, 2018.



MICHAEL W. MOSMAN
Chief United States District Judge