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

ANDERSON, et al.,

No. 3:18-cv-00898-SB

Plaintiffs,

OPINION AND ORDER

v.

ROSS ISLAND SAND & GRAVEL CO.,

Defendant.

MOSMAN, J.,

On October 24, 2018, Magistrate Judge Stacie F. Beckerman issued her Findings and Recommendation (F&R) [20], recommending that Plaintiffs' Motion for Attorney Fees [16] be GRANTED in part and DENIED in part. 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

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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).

CONCLUSION

Upon review, I agree with Judge Beckerman's recommendation and I ADOPT the F&R [20] in full. Plaintiffs' Motion for Attorney Fees [16] is GRANTED in part and DENIED in part. IT IS SO ORDERED.

DATED this _____ day of November, 2018.

MICHAEL W. MOSMAN

Chief United States District Judge