

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

SAGE REDWIND,

Plaintiff,

v.

WESTERN UNION LLC,

Defendant.

MOSMAN, J.,

No. 3:18-cv-2094-SB

OPINION AND ORDER

On June 21, 2019, Magistrate Judge Stacie F. Beckerman issued her Findings and Recommendation (F&R) [50] and recommended granting Defendant Western Union LLC's (Western Union) Motion [5] to dismiss Plaintiff Sage Redwind's pay discrimination claim and denying Western Union's Motion [5] for partial dismissal of Ms. Redwind's retaliation and discrimination claims. Judge Beckerman also denied Ms. Redwind's Motion [15] for sanctions. Ms. Redwind filed objections, and Western Union responded.¹

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

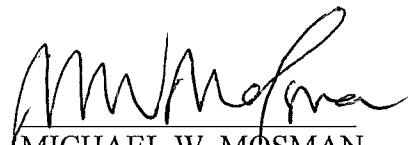
¹ I denied Ms. Redwind's Motion for leave to reply to Western Union's objections on the basis that additional briefing would not aid in my review of the F&R. [55].

make a de novo determination regarding those portions of the report or specified findings or recommendations as to which an objection is made. 28 U.S.C. § 636(b)(1)(C). The court, however, 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 with 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 careful review, I agree with Judge Beckerman's recommendations to grant the Motion [5] to dismiss Ms. Redwind's pay discrimination claim and deny the Motion [5] for partial dismissal of her retaliation and discrimination claims and ADOPT the F&R as my own opinion. To the extent necessary, I also adopt Judge Beckerman's denial of Ms. Redwind's Motion [15] for sanctions. I grant Ms. Redwind fourteen days from the date this Opinion and Order to file an amended complaint that cures the deficiencies discussed in Judge Beckerman's F&R. This matter is referred back to Judge Beckerman.

IT IS SO ORDERED.

DATED this 12 day of July, 2019.


MICHAEL W. MOSMAN
Chief United States District Judge