

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

**ANTONINA REUTOV,**

Plaintiff,

v.

**TATANCA HEALTH CARE PLAN et al.,**

Defendants.

No. 3:20-cv-01181-AR

OPINION AND ORDER

**MOSMAN, J.,**

On July 13, 2022, Magistrate Judge Jeffery Armistead issued his Findings and Recommendation (F&R) [ECF 60], recommending that Plaintiff's Second Motion for Default Judgment or, in the Alternative, Motion for Hearing on Damages [ECF 55] should be granted in part and denied in part, and that I enter judgment for Plaintiff in the amount of \$8,492 and grant attorney fees of \$32,533.50. Neither Plaintiff nor Defendant filed any objections.

**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

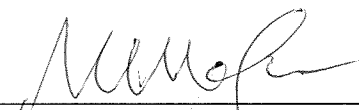
is not required to review, de novo or under any other standard, the factual or legal conclusions of the magistrate judge as to those portions of the F&R to which no objections are addressed. *See Thomas v. Arn*, 474 U.S. 140, 149 (1985); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003). 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).

### CONCLUSION

Upon review, I agree with Judge Armistead's recommendation, and I ADOPT the F&R [ECF 60] as my own opinion. Plaintiff's Second Motion for Default Judgment, or in the Alternative, Motion for Hearing on Damages [ECF 55] is GRANTED IN PART and DENIED IN PART. I ENTER JUDGMENT for Plaintiff in the amount of \$8,492 and GRANT attorney fees of \$32,533.50.

IT IS SO ORDERED.

DATED this 8<sup>th</sup> day of August, 2022.

  
\_\_\_\_\_  
MICHAEL W. MOSMAN  
Senior United States District Judge