

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

TK PRODUCTS, INC.,
a Washington corporation
doing business as
Ukiah Co.,

Plaintiff,

v.

GHP GROUP, INC.,
an Illinois corporation,

Defendant.

No. 3:22-cv-00482-JR

OPINION AND ORDER

MOSMAN, J.,

On July 12, 2022, Magistrate Judge Jolie A. Russo issued her Findings and Recommendation (“F&R”) [ECF 31], recommending that Defendant’s Motion to Dismiss [ECF 4] be granted. Plaintiff did not file 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

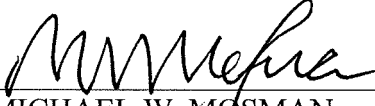
is not required to review, de novo or under any other standard, the factual or legal conclusions of the magistrate judge as to those portions of the F&R to which no objections are addressed. *See Thomas v. Arn*, 474 U.S. 140, 149 (1985); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003). 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 Russo's recommendation, and I ADOPT the F&R [ECF 31] as my own opinion. Defendant's Motion to Dismiss [ECF 4] is GRANTED.

IT IS SO ORDERED.

DATED this 27th day of September, 2022.


MICHAEL W. MOSMAN
Senior United States District Judge