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## IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF OREGON

JONATHAN ELEK,

Plaintiff,

V.

ORDER

SAFEWAY, INC., a foreign
corporation,

Defendant.

V.

Third Party Defendants.

Magistrate Judge Thomas M. Coffin filed Findings and Recommendation on January 15, 2009, in the above entitled case. The matter is now before me pursuant to 28 U.S.C. § 636(b)(1)(B) and Fed. R. Civ. P. 72(b). When either party objects to any portion of a magistrate judge's Findings and Recommendation, the district court must make a <u>de novo</u> determination of that portion of the magistrate judge's report. <u>See</u> 28 U.S.C. § 636(b)(1);

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McDonnell Douglas Corp. v. Commodore Business Machines, Inc., 656 F.2d 1309, 1313 (9th Cir. 1981), cert. denied, 455 U.S. 920 (1982).

Plaintiff has timely filed objections. I have, therefore, given de novo review of Magistrate Judge Coffin's rulings.

I find no error. Accordingly, I ADOPT Magistrate Judge Coffin's Findings and Recommendation filed January 15, 2009, in its entirety. Defendant's motion for summary judgment (#45) is allowed and this action is dismissed.

IT IS SO ORDERED.

DATED this \_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_,