IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF OREGON

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UNITED STATES OF AMERICA,

Plaintiff,

V.

V.

ORDER

TRUMAN J. BERST, an individual )
d/b/a ALTERNATIVE HEALTH & )
HERBS REMEDIES,

Defendant.
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Magistrate Judge Thomas M. Coffin filed Findings and Recommendation on January 31, 2012, 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 de novo determination of that portion of the magistrate judge's report. See 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 <u>de novo</u> review of Magistrate Judge Coffin's rulings.

I find no error. Accordingly, I ADOPT Magistrate Judge Coffin's Findings and Recommendation filed January 31, 2012, in its entirety. Defendant's motion to dismiss is denied.

IT IS SO ORDERED.

DATED this

day of

2012

- ORDER