

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
) No. 6:11-cv-6370-TC
)
) ORDER
)
v.)
)
TRUMAN J. BERST, an individual)
d/b/a ALTERNATIVE HEALTH &)
HERBS REMEDIES,)
)
) Defendant.)
)

Magistrate Judge Thomas M. Coffin filed Findings and Recommendation on August 2, 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); McDonnell

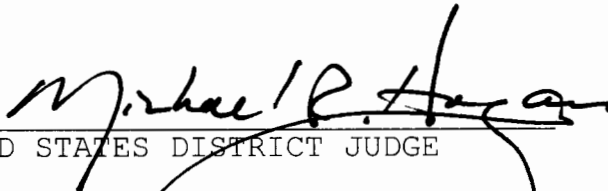
Douglas Corp. v. Commodore Business Machines, Inc., 656 F.2d 1309, 1313 (9th Cir. 1981), cert. denied, 455 U.S. 920 (1982).

Defendant has filed objections. In addition, defendant has filed a motion to take judicial notice (#30) of the fact that Judge Coffin's proposed order of summary judgment and permanent injunction is a word-for-word copy of the proposed consent decree that the government attempted to the defendant agree to in the first place. I have given de novo review of Magistrate Judge Coffin's ruling. I have also considered the motion for judicial notice and its supporting documents. I find no error. Accordingly, I adopt Magistrate Judge Coffin's Findings and Recommendation filed August 2, 2012, in its entirety. The United States' motion summary judgment (#15) is granted.

CONCLUSION

I adopt Magistrate Judge Coffin's Findings and Recommendation (#27) filed August 2, 2012.

DATED this 20th day of Sept., 2012


UNITED STATES DISTRICT JUDGE