

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

R. DRAKE EWBank,

Case No. 6:14-cv-00612-TC

Plaintiff,

ORDER

v.

LIANE INKSTER RICHARDSON,
et al.,

Defendants.

Aiken, Chief Judge:

Magistrate Judge Coffin issued his Findings and Recommendation in the above-captioned case on November 12, 2014, recommending that defendants' motion to dismiss and for summary judgment be granted but that plaintiff be allowed to amend his complaint with respect to a claim of retaliation. The matter is now before me. 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).

Plaintiff filed objections to the Findings and Recommendation. Upon de novo review, I find no error with Magistrate Judge Coffin's analysis.

Accordingly, IT IS HEREBY ORDERED that Magistrate Judge Coffin's Findings and Recommendation (doc. 44) filed November 12, 2014 is ADOPTED. Defendants' Motion to Dismiss and for Summary Judgment (doc. 17) is GRANTED. Plaintiff's Motion for Leave to File Amended Complaint (doc. 22) is GRANTED with respect to a claim of retaliation. Plaintiff shall file an amended complaint with 30 days from the date of this Order. Failure to do so will result in dismissal of this case.

IT IS SO ORDERED.

Dated this 16th day of December, 2014.



Ann Aiken
United States District Judge