

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

PACIFIC RIVERS; CASCADIA
WILDLANDS; COAST RANGE
ASSOCIATION; KLAMATH-SISKIYOU
WILDLANDS CENTER; OREGON WILD;
THE WILDBRNBSS SOCIETY; PACIFIC
COAST FEDERATION OF FISHBRMEN'S
ASSOCIATIONS; INSTITUTE FOR
FISHERIES RESOURCES; and UMPQUA
WATERSHEDS,

Plaintiffs,

v.

U.S. BUREAU OF LAND MANAGBMENT;
NATIONAL MARINE FISHERIES SERVICE;
U.S. FISH AND WILDLIFE SERVICE; U.S.
DEPARTMBNT OF INTERIOR; and U.S.
DEPARTMENT OF COMMERCE,

Defendants,

v.

ZUBER & SONS LOGGING, LLC; TURNER
LOGGING, INC.; and ROSEBURG AREA
CHAMBER OF COMMERCE,

Defendant-Intervenors.

Case No. 6:16-cv-01598-JR

OPINION AND ORDER

MCSHANE, Judge:

Magistrate Judge Jolie A. Russo filed a Findings and Recommendation (“F&R”) on October 12, 2018, ECF No. 92, and the matter is now before this Court. *See* 28 U.S.C. § 636(b)(1)(B); Fed. R. Civ. P. 72(b). Plaintiffs and Defendant-Intervenors timely filed objections to the F&R. ECF Nos. 96-97. Accordingly, I have reviewed the file of this case *de novo*. *See* 28 U.S.C. § 636(b)(1)(C); *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981). I find no error and conclude that the F&R is correct. Judge Russo’s F&R is adopted in full. Consistent with the F&R, Defendants and Defendant-Intervenors’ Cross-Motions for Summary Judgment, ECF Nos. 75, 76, 80, are GRANTED. Plaintiffs and Defendant-Intervenors’ Motions for Summary Judgment, ECF Nos. 62, 66, are DENIED.¹

IT IS SO ORDERED.

DATED this 15th day of March, 2019.

/s/ Michael McShane
Michael J. McShane
United States District Judge

¹ In the interest of clarity, although the F&R refers to Defendant-Intervenors’ claim as a counterclaim, it was filed as a crossclaim, First Am. Answer of Def.-Intervenors to First Am. Compl. & Crossclaim 15, ECF No. 54, and is properly characterized as a crossclaim, *compare* Fed. R. Civ. P. 13(a)(1), (b) (describing a counterclaim as one against an “opposing party”) *with* Fed. R. Civ. P. 13(g) (describing a crossclaim as one against a “coparty”).