

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
PORTLAND DIVISION

ZEDAN OUTDOORS, LLC, an Oregon
limited liability company, individually and on
behalf of all others similarly situated, doing
business as Taylor's Bar & Grill,

Case No. 3:21-cv-00407-YY

OPINION AND ORDER

Plaintiff,

v.

**OHIO SECURITY INSURANCE
COMPANY**, a foreign corporation,

Defendant.

MOSMAN, J.,

On January 10, 2022, Magistrate Judge Youlee Yim You issued her Findings and Recommendation ("F&R") [ECF 21], recommending that I grant Defendant Ohio Security Insurance Company's Motion to Dismiss [ECF 14] with prejudice. No party objected to the F&R. Upon review, I agree with Judge You. I GRANT the motion and DISMISS Plaintiff Zedan Outdoors's claims with prejudice.

DISCUSSION

The magistrate judge makes only recommendations to the court, to which any party may file written objections. The court is not bound by the recommendations of the magistrate judge but retains responsibility for making the final determination. The court is generally required to make a de novo determination regarding those portions of the report or specified findings or

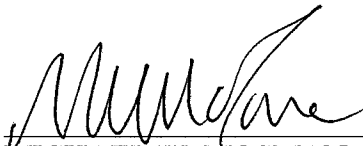
recommendation as to which an objection is made. 28 U.S.C. § 636(b)(1)(C). However, the court is not required to review, de novo or under any other standard, the factual or legal conclusions of the magistrate judge as to those portions of the F&R to which no objections are addressed. *See Thomas v. Arn*, 474 U.S. 140, 149 (1985); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003). While the level of scrutiny under which I am required to review the F&R depends on whether or not objections have been filed, in either case, I am free to accept, reject, or modify any part of the F&R. 28 U.S.C. § 636(b)(1)(C).

CONCLUSION

Upon review, I agree with Judge You's recommendation and I ADOPT the F&R [ECF 21]. I GRANT Ohio Security Insurance Company's Motion to Dismiss [ECF 14] and DISMISS Zedan Outdoors's Complaint [ECF 1] with prejudice.

IT IS SO ORDERED.

DATED this 1st day of ~~January~~ ^{Feb}, 2022.


MICHAEL W. MOSMAN
United States District Judge