FILED OF AUG OF 13:55USDC-ORP

## IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF OREGON

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION,

CIVIL NO. 04-1361-AS

Plaintiff,

ORDER ADOPTING MAGISTRATE JUDGE'S FINDINGS AND RECOMMENDATION

v.

LITHIA SUBARU OF OREGON CITY,

Defendant.

## MOSMAN, J.,

On June 1, 2005, Magistrate Judge Ashmanskas issued Findings and Recommendation (#41) in the above-captioned case DENYING defendant's motion to compel arbitration. Objections (#42) were filed on June 16, 2005, and a response (#46) to the objections was filed on July, 5 2005.

This court has conducted a <u>de novo</u> review pursuant to 28 U.S.C. § 636(b)(1)(B) and Fed. R. Civ. P. 72(b) and ADOPTS the Findings and Recommendation as the opinion of this court.

Accordingly, defendant's motion to compel arbitration is DENIED.

IT IS SO ORDERED.

MICHAEL W. MOSMAN

United States District Judge