

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

LEVEL 3 COMMUNICATIONS, INC.,

3:10-CV-01030-AC

Plaintiff,

ORDER

v.

PUBLIC UTILITY COMMISSION OF
OREGON; RAY BAUM, SUSAN
ACKERMAN, and JOHN SAVAGE, in
their official capacities as
Commissioners of the Public
Utility Commission of Oregon and
not as individuals; and QWEST
CORPORATION,

Defendants.

BROWN, Judge.

Magistrate Judge John V. Acosta issued Findings and
Recommendation (#47) on October 27, 2011, in which he recommends

this Court deny Plaintiff Level 3 Communications' Motion (#26) for Summary Judgment, grant Defendant Public Utility Commission of Oregon's Cross-Motion (#29) for Summary Judgment, grant Defendant Qwest Corporation's Cross-Motion (#30) for Summary Judgment, and dismiss this matter with prejudice. The matter is now before this Court pursuant to 28 U.S.C. § 636(b)(1)(B) and Federal Rule of Civil Procedure 72(b).

Because no objections to the Magistrate Judge's Findings and Recommendation were timely filed, this Court is relieved of its obligation to review the record *de novo*. *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003)(*en banc*). *See also United States v. Bernhardt*, 840 F.2d 1441, 1444 (9th Cir. 1988). Having reviewed the legal principles *de novo*, the Court does not find any error.

CONCLUSION

The Court **ADOPTS** Magistrate Judge Acosta's Findings and Recommendation (#47). Accordingly, the Court **DENIES** Plaintiff Level 3 Communications' Motion (#26) for Summary Judgment, **GRANTS** Defendant Public Utility Commission of Oregon's Cross-Motion (#29) for Summary Judgment, **GRANTS** Defendant Qwest Corporation's Cross-Motion (#30) for Summary Judgment, and **DISMISSES**

Plaintiff's claims in their entirety.

IT IS SO ORDERED.

DATED this 13th day of January, 2012.

/s/ Anna J. Brown

ANNA J. BROWN
United States District Judge