

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF OREGON

Schearon Stewart, John Franz, and Roger Sullivan, individually and on behalf of all others similarly situated persons v. 2SGR Ventures, LLC, et al.

Stewart · No. 3:25-cv-01310-AP · Decided June 5, 2026

SUMMARY

The United States District Court for the District of Oregon adopted a magistrate judge’s Findings and Recommendation in full. The court denied Plaintiffs’ motion to remand the putative class action to state court after conducting de novo review of their objections.

CASE DETAILS

COURT	United States District Court for the District of Oregon
WRITING FOR THE COURT	Michael J. McShane
JURISDICTION	United States District Court for the District of Oregon
DECIDED	June 5, 2026
DOCKET	3:25-cv-01310-AP
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiffs objected to a magistrate judge's Findings and Recommendation recommending denial of their motion to remand the action to state court. The district court conducted de novo review and ruled on the objections and motion to remand.
STANDARD OF REVIEW	De novo review of the magistrate judge's Findings and Recommendation to which objections were filed.
PRECEDENTIAL VALUE	unpublished district court order

TOPICS

- subject matter jurisdiction
- civil procedure

PRACTICE AREAS

- Civil procedure
- Federal jurisdiction

QUESTIONS PRESENTED

1. Whether the magistrate judge's Findings and Recommendation recommending denial of Plaintiffs' motion to remand should be adopted after de novo review.
2. Whether Plaintiffs' motion to remand the action to state court should be granted.

HOLDINGS

1. After de novo review, the district court found no error in the Findings and Recommendation and adopted it in full.
2. Plaintiffs' Motion to Remand to State Court was denied.

KEY QUOTATIONS

“The Court finds no error and concludes the report is correct.” (1)

FACTUAL BACKGROUND

The action was pending in federal court after removal from state court, and Plaintiffs sought remand to state court. The magistrate judge recommended denying the motion to remand. The district court reviewed the recommendation and the parties' filings and found no error.

PROCEDURAL HISTORY

Magistrate Judge Amy E. Potter recommended denying Plaintiffs' motion to remand to state court. Plaintiffs filed objections, Defendants responded, and the district court reviewed the Findings and Recommendation de novo under 28 U.S.C. § 636(b)(1)(B) and Federal Rule of Civil Procedure 72. The district court found no error, adopted the Findings and Recommendation in full, and denied the motion to remand.

DISPOSITION

other

CASES CITED

- United States v. Bernhardt, 840 F.2d 1441, 1444–45 (9th Cir. 1998)

OPINION

Stewart

PER CURIAM.

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF OREGON

PORTLAND DIVISION

SCHEARON STEWART, JOHN FRANZ, and Case No. 3:25-cv-01310-AP ROGER SULLIVAN, individually and on behalf of all others similarly situated persons, ORDER Plaintiffs, v. 2SGR

VENTURES, LLC, et al., Defendants. _____ MCSHANE, Judge: Magistrate Judge Amy E. Potter filed a Findings and Recommendation (ECF No. 34) recommending the Motion to Remand to State Court filed by Plaintiffs Stewart, Franz, and Sullivan (ECF No. 7) be denied. The matter is now before this Court. See 28 U.S.C. § 636(b)(1)(B); Fed. R. Civ. P. 72. Plaintiffs filed objections (ECF No. 36), to which Defendants responded (ECF No. 37). The Court reviews de novo. 28 U.S.C. § 636(b)(1)(c); *United States v. Bernhardt*, 840 F.2d 1441, 1444–45 (9th Cir. 1998). The Court finds no error and concludes the report is correct. Judge Potter’s Findings and Recommendation (ECF No. 34) is adopted in full. Plaintiffs’ Motion to Remand to State Court (ECF No. 7) is DENIED.

1 – ORDER

IT IS SO ORDERED. DATED this 5th day of June 2026. s/Michael J. McShane Michael J. McShane United States District Judge

2 – ORDER