

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF OREGON

**Davia Haines v. DSV A/S; DSV Road Transport, Inc.; DSV
Transportation LLC; DSV Road, Inc.; and Michael Alan Murphy**

Haines · No. 2:25-cv-01961-HL · Decided June 5, 2026

SUMMARY

The United States District Court for the District of Oregon adopted the magistrate judge’s findings and recommendation in full. The court granted Plaintiff Davia Haines’s motion to remand and denied Defendants’ motions to dismiss as moot, remanding the action to the Circuit Court of the State of Oregon for Multnomah County.

OPINION

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF OREGON DAVIA HAINES, Case No. 2:25-cv-01961-HL Plaintiff, ORDER ADOPTING FINDINGS AND RECOMMENDATION v. DSV A/S; DSV ROAD TRANSPORT, INC.; DSV TRANSPORTATION LLC; DSV ROAD, INC.; and MICHAEL ALAN MURPHY, Defendants. Marc A. Johnston, Johnston Law Firm, 200 SW Market Street, Suite 1900, Portland OR 97201.

Sach D. Oliver, T. Ryan Scott, Geoff D. Hamby, Samuel W. Mason & Andrea D. McCurdy, Oliver Law Firm, 3606 Southern Hills Boulevard, Rogers, AR 72758. Attorneys for Plaintiff. David B. Markowitz, R. Kyle Busse & Allison L. Rothgeb, Markowitz Herbold PC, 1455 SW Broadway, Suite 1900, Portland, OR 97201. Attorneys for Defendants. IMMERGUT, District Judge.

On January 15, 2026, Magistrate Judge Hallman issued his Findings and Recommendation (“F&R”), ECF 33. The F&R recommends that this Court grant Plaintiff’s Motion to Remand, ECF 7, and deny as moot Defendants’ Motions to Dismiss, ECF 5; ECF 6. Defendants timely filed objections to the F&R, ECF 39, and Plaintiff filed a response, ECF 44. This Court has reviewed de novo the portions of the F&R to which Defendants objected and ADOPTS Magistrate Judge Hallman’s F&R in full.

Under the Federal Magistrates Act (“Act”), as amended, the court may “accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1)(C). If a party objects to a magistrate judge’s F&R, “the court shall make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made.” *Id.* But the court is not required to review, de novo or under any other standard, the factual or legal conclusions of the F&R to which no objections are addressed.

See *Thomas v. Arn*, 474 U.S. 140, 149–50 (1985); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc). Nevertheless, the Act “does not preclude further review by the district judge, sua sponte” whether de novo or under another standard. *Thomas*, 474 U.S. at 154. This Court has reviewed de novo the portions of Judge Hallman’s F&R to which Defendants objected.

Judge Hallman’s F&R, ECF 33, is adopted in full. This Court GRANTS Plaintiff’s Motion to Remand, ECF 7, and DENIES AS MOOT Defendants’ Motions to Dismiss, ECF 5; ECF 6. This action is hereby REMANDED to the Circuit Court of the State of Oregon for Multnomah County. IT IS SO ORDERED. DATED this 5th day of June, 2026. /s/ Karin J. Immergut Karin J. Immergut United States District Judge