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6 **IN THE UNITED STATES DISTRICT COURT**  
7 **FOR THE DISTRICT OF ARIZONA**  
8

9 Michael Martin Sanders,  
10 Plaintiff,

11 v.

12 Charles L Ryan, et al.,  
13 Defendants.  
14

No. CV-15-00146-PHX-JAT (DMF)

**ORDER**

15 Pending before the Court is Plaintiff's appeal of the Magistrate Judge's order  
16 denying in part Plaintiff's motion for reconsideration. (Doc. 129). In his Order, the  
17 Magistrate Judge denied Plaintiff's motion for reconsideration of the Court's denial of  
18 Plaintiff's prior motion to compel as to certain discovery items. (Doc. 120). The  
19 Magistrate Judge further ordered Defendants to respond to the motion for reconsideration  
20 as to other discovery items sought by Plaintiff. (Doc. 120). Ultimately, the Magistrate  
21 Judge granted in part reconsideration as to the items to which the Magistrate Judge  
22 ordered a response, but those items are not at issue in this appeal. (Doc. 128).

23 As is relevant for this appeal, the Magistrate Judge denied reconsideration as to:

24 this Court's Order filed on July 24, 2017 (Doc. 97) as to Defendant Ryan's  
25 Supplemental Responses to Plaintiff's Non-Uniform Interrogatories (Doc.  
26 100 at 13-17 (Exh. 1)); and as to Defendant Sandoval's Supplemental  
27 Responses to Plaintiff's Second Set of NonUniform Interrogatories and  
28 Second Set of Requests for Production of Documents (*Id.* at 19-30 (Exh.  
2)).

(Doc. 120 at 2).

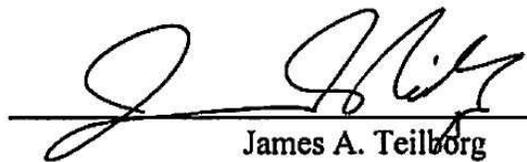
1 In his appeal, Plaintiff claims that the Magistrate Judge ordered Defendants to  
2 either make specific (as opposed to generalized) objections Plaintiff's discovery requests,  
3 or to supplement their responses. (Doc. 129 at 3). Plaintiff further claims that  
4 Defendants opted to supplement their responses rather than file specific objections. (*Id.*  
5 at 3-4). Finally, Plaintiff claims that the supplement was not "really" a supplement in  
6 that Defendants just re-disclosed the same materials they had previously disclosed. (*Id.*  
7 at 4-5). Thus, Plaintiff concludes that the Magistrate Judge committed clear error in  
8 denying his motion for reconsideration because the supplement is inadequate. (Doc. 20 at  
9 4).<sup>1</sup>

10 The Court notes that while Plaintiff primarily claims that the supplement is not  
11 adequate, Plaintiff does concede that some additional information was disclosed. (Doc.  
12 129 at 5, "The supplemental response to [Plaintiff's non-uniform interrogatories] No. 1,  
13 though in italics, is merely the tautologicalation of Ryan's initial response with a dash of  
14 case law citation."). Further, and more importantly, in this appeal Plaintiff offers no  
15 explanation of what additional information was sought and not disclosed. Thus, the  
16 Court cannot conclude that the Magistrate Judge committed clear error when Plaintiff has  
17 failed to identify any additional information that was sought, but not disclosed.

18 Accordingly,

19 **IT IS ORDERED** that the objection/appeal (Doc. 129) to the Magistrate Judge's  
20 Order of January 24, 2018 (Doc. 120) is overruled to the extent that Doc. 120 is affirmed.

21 Dated this 1st day of March, 2018.

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26 **James A. Teilborg**  
**Senior United States District Judge**

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28 <sup>1</sup> Defendants have not responded to this appeal. The Court notes that Federal Rule of Civil Procedure 72(a) does not set a deadline for such a response.