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IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

GLORIA AVILA, et al.,

Case No. 2:08-CV-02488-JAM-KJN

Plaintiffs,

ORDER DENYING DEFENDANT'S  
REQUEST FOR RECONSIDERATION OF  
MAGISTRATE JUDGE'S RULING

v.

OLIVERA EGG RANCH, LLC,

Defendant.

\_\_\_\_\_ /  
Defendant Olivera Egg Ranch, LLC has filed a Request for Reconsideration of Magistrate Judge Newman's April 5, 2010 Order Granting Plaintiff's Motion for Attorneys' Fees and Costs in the amount of \$143,057.00. The matter is presently before the Court pursuant to Rule 72(a) of the Federal Rules of Civil Procedure and Local Rules 230(j) and 303.<sup>1</sup>

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<sup>1</sup> Because oral argument will not be of material assistance, the Court orders this matter submitted on the briefs. E.D. Cal. L.R. 230(g).

1 On April 5, 2010, following this Court's Order Imposing  
2 Sanctions (Doc. # 80), as well as full briefing by both parties,  
3 a hearing on the matter, and an independent analysis of the  
4 Plaintiffs' bills and Defendant's rebuttal evidence, Magistrate  
5 Judge Newman issued an Order awarding Plaintiffs' \$143,057.00 in  
6 attorneys' fees and costs. (Doc. # 97). While the district  
7 court judge possesses the power to reconsider non-dispositive  
8 pretrial matters decided by the magistrate judge, the decision  
9 of the magistrate judge should not be overturned unless it is  
10 clearly erroneous or contrary to law. Fed. R. Civ. P. 72(a);  
11 see also Local Rule 303(f); 28 U.S.C. § 636(b)(1)(A).

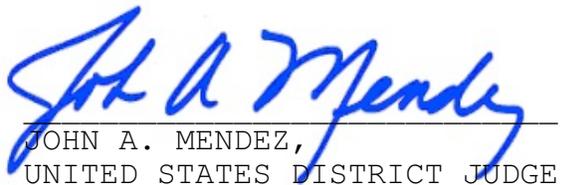
14 Having carefully reviewed the entire file, the Court finds  
15 the April 5, 2010 Order to be supported by the record and by  
16 proper analysis.

18 Accordingly, IT IS HEREBY ORDERED that:

- 19 1. Defendant's Request for Reconsideration is DENIED; and
- 20 2. The amount of attorneys' fees and costs set forth in  
21 Magistrate Judge Newman's April 5, 2010 Order is  
22 AFFIRMED.

24 IT IS SO ORDERED.

25 Dated: May 5, 2010

  
JOHN A. MENDEZ,  
UNITED STATES DISTRICT JUDGE