

1 Even though this case was instituted in 2008, Defendant argues that because thirteen
2 years have now passed since the transfers at issue the information has become
3 essentially irrelevant. The Magistrate Judge granted the motion to compel, and on
4 March 6, 2020, Defendant moved to reconsider that decision.

5 In reviewing a magistrate judge's determination, the assigned judge shall apply
6 the "clearly erroneous or contrary to law" standard of review set forth in Local
7 Rule 303(f), as specifically authorized by Federal Rule of Civil Procedure 72(a) and
8 28 U.S.C. § 636(b)(1)(A).¹ Under this standard, the Court must accept the Magistrate
9 Judge's decision unless it has a "definite and firm conviction that a mistake has been
10 committed." Concrete Pipe & Prods. of Cal., Inc. v. Constr. Laborers Pension Trust for
11 So. Cal., 508 U.S. 602, 622 (1993). If the Court believes the conclusions reached by the
12 Magistrate Judge were at least plausible, after considering the record in its entirety, the
13 Court will not reverse even if convinced that it would have weighed the evidence
14 differently. Phoenix Eng. & Supply Inc. v. Universal Elec. Co., Inc., 104 F.3d 1137, 1141
15 (9th Cir. 1997).

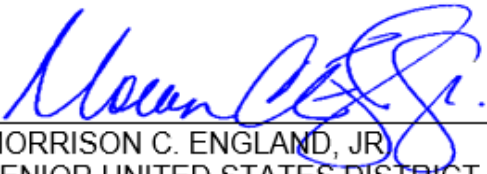
16 After reviewing the entire file, this Court cannot say that the Magistrate Judge's
17 decision was clearly erroneous. A judgment creditor like Plaintiff herein is accorded "a
18 wide scope or inquiry concerning property and business affairs of the judgment debtor"
19 and is entitled "to leave no stone unturned in the search for assets which might be used
20 to satisfy the judgment." A&F Bahamas, LLC v. World Venture Grp., Inc., No. CV 17-
21 8523-VAP-SS, 2018 WL 5961297 at *2 (C.D. Cal. Oct. 19, 2018). Given that sweeping
22 scope, the Magistrate Judge acted well within her discretion in compelling discovery, and
23 the fact that some of the discovery ordered may predate this litigation does not, under
24 the circumstances of this case, amount to an abuse of that discretion. Permitting
25 discovery as to the transferred assets does not mean that those assets will necessarily

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27 ¹ Federal Rule of Civil Procedure 72(a) directs the district court judge to "modify or set aside any
28 portion of the magistrate judge's order found to be clearly erroneous or contrary to law." Similarly, under
28 U.S.C. § 636(b)(1)(A), the district judge may reconsider any pretrial order "where it is shown that the
magistrate's order is clearly erroneous or contrary to law."

1 be available to satisfy Plaintiff's judgment; it simply recognizes that Plaintiff is entitled to
2 understand the details of the transfers themselves so that it can decide whether to
3 pursue the matter further in enforcement proceedings. Defendant's Request for
4 Reconsideration (ECF No. 362) is accordingly DENIED.

5 IT IS SO ORDERED.

6 Dated: July 21, 2021

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9 MORRISON C. ENGLAND, JR.
10 SENIOR UNITED STATES DISTRICT JUDGE
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