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

NAIM I. AYAT,

Plaintiff,

No. C 06-01574 JSW

v.

SOCIETE AIR FRANCE, et al.,

Defendants.

**ORDER (1) DENYING  
OBJECTIONS TO DISCOVERY  
ORDER AND (2) STRIKING  
EMERGENCY MOTION FOR  
PROTECTIVE ORDER**

Now before the Court are the objections filed by plaintiff Naim I. Ayat (“Plaintiff”) to Magistrate Judge James Larson’s Discovery Order dated January 8, 2008 and amended on January 9, 2008 (the “Discovery Order”). Having carefully reviewed the parties’ papers and considered their arguments and the relevant legal authority, and good cause appearing, the Court hereby DENIES Plaintiff’s objections and AFFIRMS the Discovery Order.

The District Court may modify or set aside any portion of a magistrate’s ruling on non-dispositive pre-trial motions found to be “clearly erroneous or contrary to law.” Fed. R. Civ. P. 72(a); *see also, e.g., Grimes v. City and County of San Francisco*, 951 F.2d 236, 241 (9th Cir. 1991). A ruling is clearly erroneous if the reviewing court, after considering the evidence, is left with the “definite and firm conviction that a mistake has been committed.” *United States v. U.S. Gypsum Co.*, 333 U.S. 364, 395 (1948).

After a careful review of the Discovery Order, this Court finds that the Judge Larson’s ruling was not clearly erroneous or contrary to law. Therefore, this Court DENIES Plaintiff’s

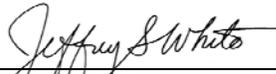
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Objections and AFFIRMS the Discovery Order dated January 8, 2008 and amended on January 9, 2008.

In violation of this Court’s Standing Order, Plaintiff filed an “Emergency Motion for Protective Order” on January 31, 2008, and noticed it to be heard on March 14, 2008. Plaintiff filed this motion in violation of this Court’s Standing Order regarding discovery disputes, which requires that all requests for discovery relief must be summarized *jointly* by the parties in a letter brief in no longer than four pages. (Standing Order ¶ 7.) The joint letter brief must attest that prior to filing the request for relief counsel met and conferred *in person*, and must concisely summarize those remaining issues that counsel were unable to resolve. (*Id.*) Accordingly, the Court STRIKES Plaintiff’s motion for a protective order. The Court therefore DENIES as MOOT defendant Goodrich Corporation’s administrative motion to shorten time.

**IT IS SO ORDERED.**

Dated: February 5, 2008

  
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JEFFREY S. WHITE  
UNITED STATES DISTRICT JUDGE