

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

ENIKO PRAKASH,

Plaintiff,

v.

PULSENT CORPORATION EMPLOYEE LONG  
TERM DISABILITY PLAN,

Defendant.

SUN LIFE FINANCIAL and SUN LIFE  
ASSURANCE COMPANY OF CANADA,

Real Parties in Interest.

No. C-06-7592 SC

ORDER RE OBJECTIONS  
TO NINTH DISCOVERY  
ORDER

Magistrate Judge Zimmerman issued the Ninth Discovery Order ("Order") in this matter on March 26, 2008. Docket No. 199. Pursuant to Federal Rule of Civil Procedure 72(a), Verseon LLC ("Verseon") objected to portions of the Order. See Docket No. 201. Real Party in Interest and Counterclaimant Sun Life Assurance of Canada ("Sun Life") responded to Verseon's objections and filed its own objections. See Docket Nos. 209, 202. Verseon responded to Sun Life's objections. See Docket No. 242.

Both parties' objections lack merit. Rule 72(a) provides the standard of review for orders issued by a magistrate judge:

The district judge in the case must consider timely objections to and modify or set aside any part of the order that is clearly erroneous or is contrary to law.

1 Fed. R. Civ. P. 72(a). The Court has reviewed Magistrate Judge  
2 Zimmerman's Order, the parties' objections to that Order, as well  
3 as the parties' submissions on the underlying motions and  
4 supporting documents. The Court finds that neither party has  
5 carried its burden of showing that Magistrate Judge Zimmerman's  
6 ruling was clearly erroneous or contrary to law. Both Sun Life's  
7 and Verseon's objections are therefore OVERRULED.

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9 IT IS SO ORDERED.

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11 Dated: December 17, 2008

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UNITED STATES DISTRICT JUDGE  
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