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United States District Court
For the Northern District of California

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

EDWARD T. FURNACE,
Plaintiff,
v.
K. KNUCKLES, et al.,
Defendants

No. C 09-6075 MMC (PR)
**ORDER DENYING WITHOUT
PREJUDICE DEFENDANTS'
OBJECTIONS TO MAGISTRATE JUDGE
LAPORTE'S AUGUST 3, 2012 ORDER**

Before the Court is defendants' Motion for Relief from Nondispositive Pretrial Order of Magistrate Judge ("Objections"), filed August 16, 2012, by which defendants object to Magistrate Judge Elizabeth D. Laporte's order of August 3, 2012, to the extent such order directs defendants to produce to plaintiff a video-recorded interview of non-party inmate Timothy Jones and audio-recorded interviews with correctional officers.

Defendants' Objections are based on evidence not previously submitted to Magistrate Judge Laporte, specifically, (1) a declaration of Joseph Rosa, (2) an exhibit filed in connection with defendants' motion for summary judgment, and (3) a civil rights case filed by Timothy Jones pending before another judge. As a consequence, defendants' Objections are, in essence, a motion for reconsideration based on newly-offered evidence.

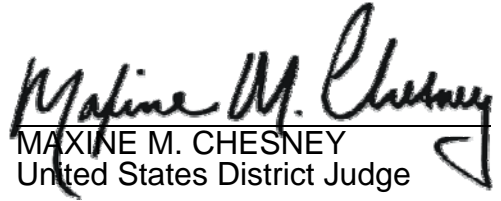
Accordingly, defendants' Objections are hereby DENIED, without prejudice to defendants' filing a motion for leave to file a motion for reconsideration, to be presented to

1 Magistrate Judge Laporte. See Civil L.R. 7-9(b)(2).

2 **IT IS SO ORDERED.**

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4 Dated: August 24, 2012


MAXINE M. CHESNEY
United States District Judge

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