

1
2 UNITED STATES DISTRICT COURT
3 NORTHERN DISTRICT OF CALIFORNIA
4

5
6 UNITED STATES OF AMERICA,

No. C 07-4762 PJH

7 Plaintiff,

**ORDER RE PLAINTIFF'S
OBJECTIONS TO MAGISTRATE
JUDGE'S ORDER**

8 v.

9 CHARLES CATHCART, et al.,

10 Defendants.
11 _____/

12 On November 19, 2008, the court referred all discovery matters in this case to
13 Magistrate Judge Spero for resolution pursuant to Civil Local Rule 72-1. On February 25,
14 2009, Magistrate Judge Spero issued an order granting in part and denying in part
15 defendant Robert J. Nagy's motions to compel. On March 5, 2009, the United States
16 ("plaintiff") filed objections to this ruling. Where, as here, a Magistrate Judge's ruling
17 addresses a non-dispositive matter, the district judge "must consider timely objections and
18 modify or set aside any part of the order that is clearly erroneous or is contrary to law."
19 Fed.R.Civ.P. 72(a); see also 28 U.S.C. § 636(b)(1)(A). Pursuant to Civil Local Rule 72-2,
20 the court may not grant a motion objecting to a Magistrate Judge's order without first giving
21 the opposing party an opportunity to brief the matter. See Civ. L.R. 72-2.

22 Having carefully reviewed Magistrate Judge Spero's order and having considered
23 plaintiff's objections thereto, the court hereby orders further briefing pursuant to Civil Local
24 Rule 72-2. Defendants shall each file a brief, not to exceed five (5) pages, or a notice of
25 joinder or statement of non-opposition, no later than March 27, 2009.

26 **IT IS SO ORDERED.**

27 Dated: March 20, 2009

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PHYLLIS J. HAMILTON
United States District Judge

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