

United States District Court  
Northern District of California

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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

PLEXXIKON INC.,  
Plaintiff,  
v.  
NOVARTIS PHARMACEUTICALS  
CORPORATION,  
Defendant.

Case No. [17-cv-04405-HSG](#)

**ORDER DENYING MOTION FOR  
RELIEF FROM NON-DISPOSITIVE  
PRETRIAL ORDER**

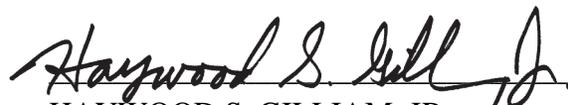
Re: Dkt. No. 114

On December 19, 2018, Magistrate Judge Elizabeth D. Laporte’s issued an amended order conditionally granting Plaintiff Plexxikon, Inc.’s request for letters of request, allowing it to obtain discovery from Novartis entities located in Switzerland. See Dkt. No. 112. Defendant Novartis Pharmaceuticals Corporation filed a motion for relief from Judge Laporte’s non-dispositive pretrial order on December 21. See Dkt. No. 114.

A pretrial order by a magistrate judge will be reversed only if it “is clearly erroneous or contrary to law.” 28 U.S.C. § 636(b)(1)(A). The Court has carefully reviewed Judge Laporte’s amended order, Defendant’s motion, and the relevant legal authorities. Judge Laporte’s amended order is well-reasoned and thorough. The Court affirms the non-dispositive order because it is not “clearly erroneous or contrary to law.” See *Grimes v. City & Cty. of San Francisco*, 951 F.2d 236, 240 (9th Cir. 1991). Accordingly, the Court **DENIES** Defendant’s motion for relief from Judge Laporte’s non-dispositive pretrial order.

**IT IS SO ORDERED.**

Dated: 2/5/2019

  
HAYWOOD S. GILLIAM, JR.  
United States District Judge