

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 13-cv-01837-WYD-KMT

JOANIE LATIN,

Plaintiff,

v.

BELLIO TRUCKING, INC., a Colorado corporation,

Defendant.

**ORDER OVERRULING PLAINTIFF'S OBJECTIONS PURSUANT TO
FED. R. CIV. P. 72(a) TO MAGISTRATE JUDGE ORDER**

THIS MATTER is before the Court on Plaintiff's Fed. R. Civ. P 72(a) Objections to the Magistrate Judge's October 3, 2014 Order (ECF No. 20). For the reasons stated below, Plaintiff's Objections are overruled and Magistrate Judge Tafoya's order is affirmed.

In the Objection, Plaintiff asserts that Magistrate Judge Tafoya's order denying, in part, Plaintiff's Motion to Amend Scheduling Order is clearly erroneous or contrary to law. "The Motion sought permission for Plaintiff to conduct discovery to determine if Bellio Trans, LLC (Bellio Trans) and Bellio Environmental Services & Transportation, LLC (Bellio Environmental) should be joined as defendants under the integrated enterprise doctrine. The October 3rd order denied that portion of the Motion." (Objection at 1). Specifically, Plaintiff claims that Magistrate Judge Tafoya's order has precluded her from "from conducting discovery under the integrated enterprise doctrine to determine whether Bellio Environmental and Bellio Trans should be joined as parties." (Objection at 7). As

a result, Plaintiff contends that she is subject to “a stricter discovery standard than the relevancy standard of Fed. R. Civ. P. 26(b).” (Objection at 7.)

Since Plaintiff’s Objections are timely, I must review Magistrate Judge Tafoya’s order to determine whether it is "clearly erroneous or contrary to law" since the nature of this matter is nondispositive. Fed. R. Civ. P. 72(a). "An order is clearly erroneous when the reviewing court on the entire evidence is left with the definite and firm conviction that a mistake has been made." *Cook v. Rockwell Int'l Corp.*, 147 F.R.D. 237, 242 (D. Colo. 1993).

Based on my careful review, I cannot find that Magistrate Judge Tafoya abused her broad discretion to effectively manage the discovery portion of this case or that her order issued October 3, 2014 is clearly erroneous or contrary to law. Therefore, I overrule Plaintiff's Objections. Accordingly, it is

ORDERED that Plaintiff's Fed. R. Civ. P 72(a) Objections (ECF No. 40) is **OVERRULED.**

Dated: February 24, 2015

BY THE COURT:

s/ Wiley Y. Daniel _____
Wiley Y. Daniel
Senior United States District Judge