

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF IDAHO

D. SCOTT FLORER,

Plaintiff,

v.

FORD MOTOR COMPANY, INC.;
LITHIA FORD OF BOISE, INC.;
RHETT SHEEDER; RICH STUART;
ANGELO SANCHEZ; TRAVIS STEAR;
and LISA CRABTREE,

Defendants.

Case No. 1:22-cv-00449-BLW-DKG

**MEMORANDUM DECISION &
ORDER**

INTRODUCTION

This matter is before the Court on Plaintiff D. Scott Florer's objections to a discovery order issued by a United States Magistrate Judge Debora K. Grasham. *See* Dkt. 178. For the reasons explained below, the Court will overrule Plaintiff's objection.

STANDARD OF REVIEW

Under 28 U.S.C. § 636(b)(1)(A), a magistrate judge may hear and determine any pretrial matter before the court, with certain exceptions not relevant here. This Court may reconsider a magistrate judge's ruling on such a matter if that ruling is "clearly erroneous or contrary to law." 18 U.S.C. § 636(b)(1)(A).

DISCUSSION

The facts relevant to this motion are set forth in the Magistrate Judge's Order, *see* Dkt. 177, and will not be repeated here. Briefly, however, Plaintiff D. Scott Florer's

deposition is scheduled for tomorrow, December 14, 2023. At the eleventh hour, Mr. Florer filed a motion to have the deposition conducted remotely, on ground that he had just moved to Utah. *See* Dkt. 173, 174. The Magistrate Judge acted well within the law in determining that the deposition should be conducted in person, in the District of Idaho. And although plaintiff complains that he had not yet filed a reply in support of his motion, the Magistrate Judge reasonably determined to go ahead and issue a ruling, and to expedite the time for filing objections, given that the deposition was scheduled to take place within the next 24 hours. This Court is also issuing a quick ruling in an effort to keep this litigation on track. In sum, none of Mr. Florer's objections show that the Magistrate Judge issued an order that is clearly erroneous or contrary to law. Accordingly, the Court will overrule the objections.

ORDER

IT IS ORDERED that Plaintiff's Objection (Dkt. 178) to the United States Magistrate Judge's Order is **OVERRULED**. Plaintiff is ordered to appear in person for his December 14, 2023 deposition.



DATED: December 13, 2023

A handwritten signature in black ink that reads "B. Lynn Winmill". The signature is written in a cursive style and is positioned above a horizontal line.

B. Lynn Winmill
U.S. District Court Judge