

**United States District Court
Northern District of Indiana
Hammond Division**

ALFONSO BOROM, et al,)	
)	
Plaintiffs,)	
)	
v.)	Civil Action No. 2:07-CV-98 JVB
)	
CITY OF MERRILLVILLE, et al,)	
)	
Defendants.)	

OPINION AND ORDER

This matter is before the Court on Plaintiffs’ Motion for Review of Magistrate Judge Decision by a District Judge [DE 386].

On July 15, 2009, Plaintiffs filed their Motion for Extension of Time to Complete Discovery [DE 328]. On August 31, 2009, Defendant Town of Merrillville filed its Motion for Enlargement of Time to Depose Plaintiffs’ Expert Witnesses [DE 350]. On November 6, 2009, Plaintiffs filed their Motion for Extension of Time to Supplement Rebuttal Expert’s Report [DE 374]. On December 9, 2009, Magistrate Judge Rodovich issued an Order denying all three motions [DE 384]. On December 16, 2009, Plaintiffs filed their Motion for Review of a Magistrate Judge Decision, on Judge Rodovich’s denial of their motions.

Federal Rule of Civil Procedure 72(a) and 28 U.S.C. § 636(b)(1)(A) provide that a magistrate judge may hear, decide, and issue an order on non-dispositive pre-trial matters. A party is permitted to object to a magistrate judge’s order within fourteen days. Fed. R. Civ. Pro. 72(a). The district judge will “consider timely objections and modify or set aside any part of the order that is clearly erroneous or is contrary to law.” *Id.*

Under the clearly erroneous standard, the Court will not reverse Judge Rodovich's Order "simply because [the Court] 'would have decided the case differently.'" *Easley v. Cromartie*, 532 U.S. 234, 241 (2001) (citations omitted). Furthermore, Judge Rodovich's Order may only be reversed if the Court, on reviewing the entirety of the evidence, "is left with the definite and firm conviction that a mistake has been committed." *Id.*

It is the Court's judgment that Judge Rodovich's Order of December 9, 2009 was not clearly erroneous, and the Court will not reverse it. Accordingly, Plaintiffs' Motion for Review of Magistrate Judge Decision by a District Judge [DE 386] is OVERRULED.

SO ORDERED on May 26, 2010.

s/ Joseph S. Van Bokkelen
JOSEPH S. VAN BOKKELEN
UNITED STATES DISTRICT JUDGE