

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
MONROE DIVISION

ESTHER HILL WHITE

CIVIL ACTION NO. 15-2181

VERSUS

JUDGE ROBERT G. JAMES

CIGNA GROUP INSURANCE, ET AL.

MAG. JUDGE KAREN L. HAYES

MEMORANDUM ORDER

Pending before the Court is Plaintiff Esther Hill White's ("White") Appeal and Objection to Magistrate Judge's Order on Plaintiff's Motion for Leave to File Affidavit of Coroner James Michael Belue, MD, into the Record ("Appeal") [Doc. No. 32]. White appeals Magistrate Judge Karen L. Hayes' Memorandum Ruling [Doc. No. 31] denying her leave to file Dr. Belue's affidavit into the record for consideration in this ERISA case. Defendants have responded to the Appeal [Doc. No. 34]. White filed a reply memorandum in support of her Appeal. [Doc. No. 35].

Magistrate Judge Hayes' order concerns a non-dispositive pre-trial matter. Under 28 U.S.C. § 636(b)(1)(A) and Rule 72(a), the Court reviews a magistrate judge's rulings on non-dispositive matters only to determine whether they are clearly erroneous or contrary to law. As this is a matter of admissibility of evidence and not a factual dispute, the Court must consider whether Magistrate Judge Hayes' Memorandum Ruling is contrary to law.

Having conducted a thorough review of the entire record, the Court finds that Magistrate Judge Hayes' application of the law to the facts in the Memorandum Ruling was not contrary to

law. Therefore, White's Appeal [Doc. No. 32] is **DENIED**, and Magistrate Judge Hayes' Memorandum Ruling [Doc. No. 31] is **AFFIRMED**.

Monroe, Louisiana, this 17th day of November, 2016.


ROBERT G. JAMES
UNITED STATES DISTRICT JUDGE