

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

IGOR BELYAKOV
:
:
v. : Civil Action No. DKC 13-3656
:
HENRY M. JACKSON FOUNDATION
:

MEMORANDUM OPINION AND ORDER

Pending before the court is an objection filed by Plaintiff Igor Belyakov, to a discovery ruling issued by United States Magistrate Judge Charles B. Day on August 28, 2015. (ECF No. 37). For the reasons that follow, the objection will be overruled.

As I recently noted:

Under 28 U.S.C. § 636(b)(1), non-dispositive pretrial matters may be referred to a magistrate judge for hearing and determination. A district judge may modify or set aside any portion of a magistrate judge's non-dispositive ruling "where it has been shown that the magistrate judge's order is clearly erroneous or contrary to law." *Id.*; see also Fed.R.Civ.P. 72(a); Local Rule 301.5.a. "The [district] judge may also receive further evidence or recommit the matter to the magistrate judge with instructions." 28 U.S.C. § 636(b)(1)(C). The "clearly erroneous" standard applies to factual findings, while legal conclusions will be rejected if they are "contrary to law." *MMI Prods. v. Long*, 231 F.R.D. 215,

218 (D.Md.2005). Under the clearly erroneous standard, the reviewing court is not to ask whether the finding is the best or only conclusion permissible based on the evidence. Nor is it to substitute its own conclusions for that of the magistrate judge. See *Tri-Star Airlines, Inc. v. Willis Careen Corp.*, 75 F.Supp.2d 835, 839 (W.D.Tenn.1999). Rather, the court is only required to determine whether the magistrate judge's findings are reasonable and supported by the evidence. *Id.* "It is not the function of objections to discovery rulings to allow wholesale relitigation of issues resolved by the magistrate judge." *Buchanan v. Consol. Stores Corp.*, 206 F.R.D. 123 (D.Md.2002); *Int'l Ass'n of Machinists & Aerospace Workers v. Werner-Masuda*, 390 F.Supp.2d 479, 486 (D.Md.2005).

Sky Angel U.S., LLC v. Discovery Commc'ns, LLC, 28 F. Supp. 3d 465, 479-80 (D. Md. 2014). Even though Plaintiff has not stated precisely why he objects to the ruling, I have reviewed Judge Day's ruling along with Plaintiff's motion to compel and find no clearly erroneous factual findings nor erroneous legal rulings. Accordingly, the objections are OVERRULED.

Accordingly, it is this 14th day of October, 2015, by the United States District Court for the District of Maryland, ORDERED that:

1. Plaintiff's objection to the court's order dated August 28, 2015 (ECF No. 37) BE, and the same hereby IS, OVERRULED; and

2. The clerk is directed to transmit copies of this Memorandum Opinion and Order to Plaintiff and counsel for the Defendant.

/s/
DEBORAH K. CHASANOW
United States District Judge