

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

KONICA MINOLTA BUSINESS
SOLUTIONS U.S.A., INC.,

Plaintiff,

v.

Case No: 15-11254
Honorable Victoria A. Roberts

LOWERY CORPORATION d/b/a
APPLIED IMAGING SYSTEMS, INC., ET AL.,

Defendants.

**ORDER OVERRULING OBJECTIONS TO MAGISTRATE JUDGE'S ORDER
REGARDING PLAINTIFF'S MOTION TO COMPEL MIRROR IMAGES OF DEVICES**

On January 22, 2018, Magistrate Judge Elizabeth Stafford issued an Order [Doc. 217] pertaining to this described motion. Plaintiff timely objected [Doc. 219]; the individual Defendants filed a joint response [Doc. 223].

The Magistrate Judge declined to require the Court appointed Special Master to provide mirror images of all defendant devices in his possession to allow Plaintiff's forensic expert to conduct a forensic review and analysis. The Magistrate Judge also held that after the Special Master examines the devices and reports to the Court, the parties would be given an opportunity to revisit whether any devices should be turned over to Plaintiff's expert.

When a magistrate judge hears and determines a nondispositive issue such as this one, the district judge can modify or set aside the magistrate judge's order only if it is "clearly erroneous or contrary to law. "Fed. R. Civ. P. 72(a); 28 U.S.C. § 636(b)(1)(A). A factual finding is clearly erroneous when the court is "left with the definite and firm

conviction that a mistake has been committed.” *Anderson v. City of Bessemer City, N.C.*, 470 U.S. 564, 573 (1985).

Nothing in Magistrate Judge Stafford’s Order is clearly erroneous such that it should be modified or set aside.

Plaintiff’s Objections are **OVERRULED**.

IT IS ORDERED.

s/ VICTORIA A. ROBERTS

Victoria A. Roberts

United States District Judge

Dated: 4/3/18