Anderson v. True et al Doc. 60

UNITED STATES DISTRICT COURT EASTERN DISTRICT OF MICHIGAN SOUTHERN DIVISION

DEXTER ANDERSON,

Plaintiff,

Case No. 15-cv-11703

v.

B. TRUE, ARDETTA MOODY, MATTHEW BURNETT, and ANDRE MCCLATCHEY,

UNITED STATES DISTRICT COURT JUDGE GERSHWIN A. DRAIN

United States Magistrate Judge David R. Grand

Defendants.

ORDER OVERRULING PLAINTIFF'S OBJECTION [55] TO MAGISTRATE JUDGE DAVID R. GRAND'S ORDER GRANTING DEFENDANTS PERMISSION TO EXCEED PAGE LIMIT

On June 1, 2016, Defendants filed an Ex Parte Motion to Exceed Page Limit for their Motion for Summary Judgment. *See* Dkt. No. 45. On June 2, 2016, Magistrate Judge David R. Grand granted the Motion. *See* Dkt. 48. Before the Court is Plaintiff's Objection [55] to Magistrate Judge David R. Grand's Order.

"A district court shall consider objections to a magistrate judge's non-dispositive orders, and shall modify or set aside any portion of the orders found to be clearly erroneous or contrary to law." *Wendorf v. JLG Indus., Inc.*, No. 08-CV-12229, 2010 WL 148255, at *1 (E.D. Mich. Jan. 11, 2010) (citing Fed. R. Civ. P. 72(a); 28 U.S.C. § 636(b)(1)(A)). "A ruling is clearly erroneous if, upon review of

the record, the district court is left with a definite and firm conviction that a

mistake has been made." Id.

Under this Court's Local Rules, a page limit may be extended upon leave of

the Court. See E.D. Mich. L.R. 7.1(d)(3)(A). In the present case, the Defendants

filed an Ex Parte Motion setting forth their reasons for needing a page limit

extension. Among those reasons, Defendants listed that they are moving to dismiss

Plaintiff's case on seven different grounds, and that the case is relatively fact

intensive. Dkt. No. 45 at 2 (Pg. ID No. 447). Magistrate Judge Grand found

Defendants' reasons sufficient to grant leave. This decision was not "clearly

erroneous or contrary to law." Accordingly, Plaintiff's Objection fails.

For the discussed above, Plaintiff's Objection reasons [55] is

OVERRULED.

IT IS SO ORDERED.

Dated: June 29, 2016

Detroit, MI

/s/Gershwin A Drain

HON. GERSHWIN A. DRAIN

United States District Court Judge

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