## UNITED STATES DISTRICT COURT EASTERN DISTRICT OF MICHIGAN SOUTHERN DIVISION

DENISE POLLINGTON,

| Plaintiff,   |                           |
|--|---------------------------|
| 1 14111111,  | Case No. 16-10812         |
| V.   | Hon. John Corbett O'Meara |
| G4S SECURE SOLUTIONS (USA), INC., and KEVIN BAKER, | Tion. voim coroca e meare |
| Defendant.   |                           |

## ORDER OVERRULING DEFENDANT'S OBJECTIONS TO MAGISTRATE'S NOVEMBER 21, 2016 ORDER

Before the court are Defendant's timely objections to Magistrate Judge
David R. Grand's November 21, 2016 order granting in part and denying in part
Plaintiff's motion to compel. <u>See</u> Fed. R. Civ. P. 72(a). Defendant has also filed a
motion to stay the November 21, 2016 order.

The court may modify or set aside any portion of the magistrate judge's order that is "clearly erroneous or contrary to law." 28 U.S.C. § 636(b)(1)(A). See also Fed. R. Civ. P. 72(a). "A finding is 'clearly erroneous' when although there is evidence to support it, the reviewing court on the entire evidence is left with the definite and firm conviction that a mistake has been committed." Anderson v. City of Bessemer City, 470 U.S. 564, 573 (1985) (quoting United States v. U. S.

Gypsum Co., 333 U.S. 364, 395 (1948)). The court may not disturb the

magistrate's factual findings "even though convinced that had it been sitting as the

trier of fact, it would have weighed the evidence differently." Id. The court allows

the magistrate's legal conclusions to stand unless they are "contrary to law."

Gandee v. Glaser, 785 F. Supp. 684, 686 (S.D. Ohio 1992) aff'd, 19 F.3d 1432 (6<sup>th</sup>

Cir. 1994).

Having reviewed the record and Defendant's objections, the court finds that

Magistrate Judge Grand's November 21, 2016 order is neither clearly erroneous

nor contrary to law.

Accordingly, IT IS HEREBY ORDERED that Defendant's objections

(Docket No. 25) are OVERRULED.

IT IS FURTHER ORDERED that Defendant's motion to stay (Docket No.

26) is DENIED.

s/John Corbett O'MearaUnited States District Judge

Date: December 13, 2016

I hereby certify that a copy of the foregoing document was served upon counsel of record

on this date, December 13, 2016, using the ECF system.

s/William Barkholz

Case Manager

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