

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

Gary Reed and Tom Vevea, et al.,

Plaintiffs,

v.

ORDER

Civil No. 09-1976

EnviroTech Remediation Services, Inc., and  
Lindstrom Cleaning & Construction, Inc.  
d/b/a Lindstrom Restoration and  
Lindstrom Environmental, Inc.,

Defendants.

---

Ruth S. Marcott and William K. Ecklund, Felhaber, Larson, Fenlon & Vogt,  
P.A. and Pamela Hodges Nissan and Natalie W. Kohner, Anderson, Helgen,  
David & Nissen, P.A., Counsel for Plaintiffs.

Timothy A. Sullivan, Sarah E. Crippen and Elizabeth C. Borer, Best &  
Flanagan LLP, Counsel for Defendant Lindstrom Cleaning & Construction, Inc.  
d/b/a Lindstrom Restoration and Lindstrom Environmental, Inc.

---

This matter is before the Court on Plaintiffs' Objections to Magistrate Judge  
Jeanne J. Graham's Order dated March 4, 2011 [Doc. No. 156] denying their  
motion to compel discovery.

Plaintiffs object to those portions of the Order as to Plaintiffs' Second  
Request for Production of Documents Nos. 1-3; Request No. 4 and Request No.

11.

On March 18, 2011, the parties filed a stipulation to extend the time to appeal the Magistrate Judge's March 4, 2011 Order to allow the parties the opportunity to obtain clarification of the Order from Magistrate Judge Graham. Plaintiffs nonetheless filed an objection to the March 4 Order on March 31, 2011. Thereafter, the Magistrate Judge held a telephone conference on April 14, 2011 on the parties' request for clarification, and on April 18, 2011, the Magistrate Judge issued an Order addressing the parties' concerns.

The Court must modify or set aside any portion of the Magistrate Judge's Order found to be clearly erroneous or contrary to law. See 28 U.S.C. § 636(b)(1)(A); Fed. R. Civ. P. 72(a); Local Rule 72.2(a). Based on a review of the record and the submissions of the parties, the Court concludes that the Magistrate Judge's Order is neither clearly erroneous or contrary to law.

Accordingly, the Order of Magistrate Judge Jeanne J. Graham dated March 4, 2011 [Doc. No. 156] is AFFIRMED in all respects.

Date: June 20, 2011

s/ Michael J. Davis

Michael J. Davis, Chief Judge  
United States District Court