

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

DESIGN BASICS, L.L.C.,	)	
	)	
Plaintiff,	)	8:13CV125
	)	
v.	)	
	)	
CARHART LUMBER COMPANY,	)	<b>ORDER</b>
SCOTT BRIAN CARHART,	)	
BRENDA KUHLMAN CARHART,	)	
WILLIAM C. CARHART, and	)	
MICHAEL HERBOLSHEIMER,	)	
	)	
Defendants.	)	
_____	)	

This matter is before the court on Plaintiff’s Statement of Objections to Magistrate Judge’s Memorandum and Order. (Filing [49](#).) At issue is Magistrate Judge Zwart’s order (Filing [48](#)) denying Plaintiff’s motion to compel discovery (Filing [31](#)) and granting Defendants’ motion for protective order (Filing [34](#)).

Because I find after careful review that the order is not “clearly erroneous or contrary to law,” the Statement of Objections will be denied. See [28 U.S.C. § 636\(b\)\(1\)\(A\)](#); [Fed. R. Civ. P. 72\(a\)](#); [NECivR 72.2](#). See also [Hajek v. Kumho Tire Co., Inc.](#), No. 4:08CV3157, 2010 WL 1292447, at \*2 (D. Neb. Mar. 30, 2010) (“In discovery matters, the magistrate judge is afforded great deference,” and I may reverse a Magistrate Judge’s decision only when clearly erroneous or contrary to law; “While the standard of relevance in the context of discovery is broader than in the context of admissibility . . . [,] this often intoned legal tenet should not be misapplied so as to allow fishing expeditions in discovery.”); [Brooks v. Lincoln Nat’l Life Ins. Co.](#), No. 8:05CV118, 2006 WL 2487937, at \*3 (D. Neb. Aug. 25, 2006) (“Under a clearly erroneous standard, a district court can reverse a magistrate judge’s order only if the court is left with the definite and firm conviction that a mistake has been committed.”);

“Under a contrary to law standard, a district court can reverse a magistrate judge’s order only if the order fails to apply the relevant law.”).

Accordingly,

IT IS ORDERED:

1. Plaintiff’s Statement of Objections to Magistrate Judge’s Memorandum and Order (Filing [49](#)) is denied; and
2. The Magistrate Judge’s Memorandum and Order (Filing [48](#)) denying Plaintiff’s motion to compel discovery (Filing [31](#)) and granting Defendants’ motion for protective order (Filing [34](#)) shall not be disturbed and is hereby sustained.

DATED this 26<sup>th</sup> day of January, 2015.

BY THE COURT:

*Richard G. Kopf*

Senior United States District Judge

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