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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

U.S. SECURITIES & EXCHANGE
COMMISSION,

Plaintiff,

v.

EXOTICS.COM, INC., *et. al.*,

Defendants.

Case No. 2:05-cv-00531-MMD-GWF

ORDER

On August 9, 2016, the Court found Defendant Gary Thomas to be in civil contempt for, *inter alia*, failing to comply with the payment plan ordered by the Court. (ECF No. 515.) The Court ruled that the parties are to work toward establishing a new payment plan and if they cannot agree, the matter would be referred to the Magistrate Judge (ECF No. 517 at 180.) When Thomas failed to respond to the SEC to provide a new payment proposal, the SEC requested that the Court refer the matter to the Magistrate Judge. (ECF No. 520.) The Court granted that request on December 12, 2016. (ECF No. 521.) On October 23, 2017, the Magistrate Judge granted SEC's motion and established a new payment schedule for Thomas. (ECF No. 544.) On December 4, 2017, Thomas filed an objection to the Magistrate Judge's order in which he asks the Court to withdraw the referral. (ECF No. 545.) The SEC opposes Thomas's request. (ECF No. 546.)


The Court agrees with the SEC that Thomas's objection is untimely. LR IB 3-1(a) provides that any objection to a magistrate judge's order must be filed within fourteen (14) days after service of the objection. Thomas waited over a month to file his objection.

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Even if the Court were to consider Thomas's objection, Thomas fails to show that the Magistrate Judge made any clear error or abused his discretion. That Thomas simply does not like the payment plan established by the Magistrate Judge does not provide a valid reason for Thomas to object or for this Court to review the Magistrate Judge's ruling.

It is therefore ordered that Gary Thomas' objection (ECF No. 545) is overruled.

DATED THIS 30th day of January 2018.


MIRANDA M. DU
UNITED STATES DISTRICT JUDGE