IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF OREGON

PORTLAND DIVISION

BRYAN BENNETT,

Plaintiff,

v.

SKC INVESTMENT, INC., dba Club Heat, and MITCHELL STANLEY,

Defendants.

No. 3:13-cv-01386-HU

OPINION AND ORDER

MOSMAN, J.,

Magistrate Judge Hubel granted [23] Plaintiff Bryan Bennett's Motion To Compel Discovery [17] in part, and denied the rest with leave to renew. Mr. Bennett filed objections [24]. Defendants SKC Investments, Inc. ("SKC"), and Mitchell Stanley responded [27].

DISCUSSION

Parties may file objections to a magistrate judge's order on nondispositive pretrial matters. Fed. R. Civ. P. 72(a). On review of the magistrate judge's order, the district court must "modify or set aside any part of the order that is clearly erroneous or is contrary to law." *Id.*; *see also* 28 U.S.C. § 636(b)(1)(A) (permitting reconsideration of a magistrate's nondispositive pretrial order only if "clearly erroneous or contrary to law"). Clear error has occurred where the reviewing court is "left with the definite and firm conviction that a mistake has been committed."

Easley v. Cromartie, 532 U.S. 234, 242 (2001) (quoting *United States v. U.S. Gypsum Co.*, 333 U.S. 364, 395 (1948)). This standard of review reflects the broad discretion that magistrate judges enjoy on nondispositive pretrial matters. *Thunderbird Hotels, LLC v. City of Portland*, 670 F. Supp. 2d 1164, 1167 (D. Or. 2009) (citing *Osband v. Woodford*, 290 F.3d 1036, 1041 (9th Cir. 2002)).

Because I find that Judge Hubel's order [23] is neither clearly erroneous nor contrary to law, I decline to disturb it. Mr. Bennett's objections are overruled.

IT IS SO ORDERED.

DATED this 4th day of June, 2014.

/s/ Michael W. Mosman
MICHAEL W. MOSMAN
United States District Judge