

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF OREGON

CHINA NATIONAL BUILDING MATERIALS IMPORT AND EXPORT CORPORATION, a People's Republic of China corporation; and CNBM FOREST PRODUCTS (CANADA) LTD., a Canadian corporation,

No. 03:14-cv-00746-ST

Plaintiffs,

v.

MURPHY OVERSEAS USA ASTORIA FOREST PRODUCTS, LLC, an Oregon limited liability company; MURPHY OVERSEAS U.S.A. TIMBER AND LAND DEVELOPMENT, LLC, an Oregon limited liability company; MURPHY OVERSEAS U.S.A. HOLDINGS, LLC,

ORDER

Defendants.

HERNANDEZ, District Judge,

On January 20, 2015, Magistrate Judge Stewart issued an Order (#93) denying the Motion to Intervene filed by Eduardo Amorin and several other "Proposed Intervenors." On January 22, 2015, the Proposed Intervenors filed objections to the Order. The matter is now before me

pursuant to Federal Rule of Civil Procedure 72(a).

In accordance with Rule 72(a), "[w]hen a pretrial matter not dispositive of a party's claim or defense is referred to a magistrate judge to hear and decide, the magistrate judge must promptly conduct the required proceedings and, when appropriate, issue a written order stating the decision." Fed. R. Civ. P. 72(a). The standard of review for an order with objections is "clearly erroneous" or "contrary to law." 28 U.S.C. § 636(b)(1)(A) (applying the "clearly erroneous or contrary to law" standard of review for nondispositive motions). If a ruling on a motion is not determinative of "a party's claim or defense," it is not dispositive and, therefore, is not subject to *de novo* review as are proposed findings and recommendations for dispositive motions under 28 U.S.C. § 636(b)(1)(B).

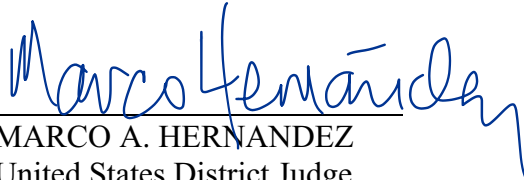
I have carefully considered the Proposed Intervenor's objections and conclude they do not provide a basis to modify the Magistrate Judge's Order.

#### CONCLUSION

The Court AFFIRMS Magistrate Judge Stewart's Order (83).

IT IS SO ORDERED.

DATED this 4 day of March, 2015.

  
MARCO A. HERNANDEZ  
United States District Judge