
IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH

UNITED STATES OF AMERICA, ex
rel. GERALD POLUKOFF, M.D.,

Plaintiff/Relator,

v.

ST. MARK'S HOSPITAL;
INTERMOUNTAIN HEALTHCARE,
INC.; INTERMOUNTAIN MEDICAL
CENTER; SHERMAN SORENSEN,
M.D.; and SORENSEN
CARDIOVASCULAR GROUP,

Defendants.

MEMORANDUM DECISION AND
ORDER OVERRULING OBJECTION
OF MAGISTRATE JUDGE DECISION

Case No. 2:16-CV-304-TS-EJF

District Judge Ted Stewart

This matter is before the Court on Defendants' Objection of Magistrate Judge Order Compelling Production of Peer Review Materials. For the reasons discussed below, the Court will overrule the objection.

Under 28 U.S.C. § 636(b)(1)(A) and Rule 72(a) of the Federal Rules of Civil Procedure, the Court reviews a Magistrate Judge's orders on nondispositive matters under a clearly erroneous or contrary to law standard.¹ "The clearly erroneous standard . . . requires that the reviewing court affirm unless it 'on the entire evidence is left with the definite and firm conviction that a mistake has been committed.'"²

The Court has carefully reviewed the Magistrate Judge's Order, Defendants' objection thereto, the underlying briefing, and the relevant case law. Having done so, the Court cannot

¹ 28 U.S.C. § 636(b)(1)(A); Fed. R. Civ. P. 72(a).

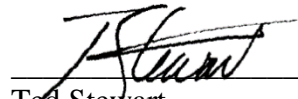
² *Ocelot Oil Corp. v. Sparrow Indus.*, 847 F.2d 1458, 1464 (10th Cir. 1988) (quoting *United States v. United States Gypsum Co.*, 333 U.S. 364, 395 (1948)).

conclude that the Magistrate Judge's decision was clearly erroneous or contrary to law. It is therefore

ORDERED that Defendants' objection (Docket No. 413) is OVERRULED. Defendants are directed to produce the documents required under the January 21, 2020 Order (Docket No. 404) within seven (7) days of this Order.

DATED this 20th day of March, 2020.

BY THE COURT:



Ted Stewart
United States District Judge