
IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH

US MAGNESIUM, LLC, a Delaware
limited liability company,

Plaintiff,

v.

ATI TITANIUM LLC, a Delaware limited
liability company, ALLEGHENY
TECHNOLOGIES INCORPORATED, a
Delaware corporation,

Defendants.

MEMORANDUM DECISION AND
ORDER OVERRULING
OBJECTION TO MAGISTRATE
JUDGE DECISION AND STAYING
DEADLINES

Case No. 2:16-CV-1158 TS

District Judge Ted Stewart

This matter is before the Court on Defendants’ Objections to the Magistrate Judge’s decision to enter a Scheduling Order.

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 Scheduling Order, the transcript of the Initial Pretrial Conference, Defendants’ objections and the related briefing, and the relevant case law.

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

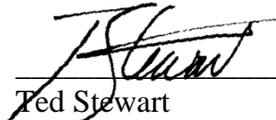
² *Ocelot Oil Corp. v. Sparrow Indus.*, 847 F.2d 1458, 1464 (10th Cir. 1988) (quoting *United States v. United States Gypsum Co.*, 333 U.S. 364, 395 (1948)).

Having done so, the Court cannot conclude that the Magistrate Judge's decision was clearly erroneous or contrary to law. Therefore, the Court will overrule the objections. However, the Court will exercise its discretion to stay the deadlines contained in the Scheduling Order until after the Court has ruled on Defendants' pending Motions to Dismiss. The parties are directed to submit a stipulated scheduling order within five (5) days after the Court issues a ruling on those Motions, if they are denied in whole or in part.

SO ORDERED.

DATED this 9th day of February, 2017.

BY THE COURT:



Ted Stewart
United States District Judge