

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

SCANNED

Case No. CV 06-1093 FMC(JCx) Date January 22, 2007

Title COLUMBIA PICTURES INDUSTRIES, INC. , et al. v. JUSTIN BUNNELL, et al.

Present: The Honorable FLORENCE-MARIE COOPER

Alicia Mamer	Not present	N/A
Deputy Clerk	Court Reporter / Recorder	Tape No.

Attorneys Present for Plaintiffs:	Attorneys Present for Defendants:
Not present	Not present

Proceedings: ORDER ON MOTION (In Chambers)

This matter is before the Court on Plaintiffs' Motion for an Order Admonishing Defendants' Counsel, for a Protective Order, and For a Revised Case Management Order (docket no. 38), filed December 13, 2006, as well as Defendants' Motion for an Order Requiring Steven B. Fabrizio and Katherine A. Fallow to Pay Attorneys' Fees (docket no. pending), filed January 9, 2007. Plaintiffs' Motion improperly seeks to have the district court judge resolve a discovery dispute between the parties when such a dispute is within the purview of, and should be brought in the first instance before, the magistrate judge. A dissatisfied party may thereafter object to the magistrate judge's ruling, which the district court judge shall set aside only if it is clearly erroneous or contrary to law. See Fed. R. Civ. P. 72(a). Accordingly, the Court dismisses Plaintiffs' Motion and directs the parties to follow the proper procedures to bring this matter before Magistrate Judge Chooljian, as necessary.

Plaintiffs' request to modify the schedules set in the Court's July 25, 2006, Order for Jury Trial (docket no. 33), shall be addressed in a separate order.

The Court does not find that Plaintiffs' Motion was brought in bad faith or so vexatiously as to merit sanctions and therefore denies Defendants' Motion for attorneys' fees. Accordingly, the Court hereby removes the hearing set for January 29, 2007, from its calendar.

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Initials of Preparer AM [Signature] : N/A