

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

PUBLIC RECORD MEDIA, LLC,

Plaintiff,

v.

ORDER

Civil File No. 12-1225 (MJD/AJB)

U.S. DEPARTMENT OF JUSTICE,

Defendant.

Jonathan T. Haines, Counsel for Plaintiff.

Amy E. Powell and Judson O. Littleton, U.S. Department of Justice, and Bahram Samie, Assistant United States Attorney, Counsel for Defendant.

The above-entitled matter comes before the Court on Defendant's objections to Chief Magistrate Judge Arthur J. Boylan's January 29, 2103 Order awarding Plaintiff \$7,500 in attorney's fees and \$350 in costs. In Plaintiff's response to Defendant's timely objections to the Chief Magistrate Judge's Order, Plaintiff also objected to the amount of the fee award and requested a higher fee award. However, a party objecting to a Magistrate Judge's order must file its objection within 14 days after service of that order, unless a different time is prescribed by the Magistrate Judge or District Judge. "[A] party may not

thereafter assign as error a defect in the Magistrate Judge's order to which objection was not timely made." Local Rule 72.2(a). No different time was prescribed in this case, and Plaintiff filed its "objection," buried within its response to Defendant's objection, on February 25, 2013, more than 14 days after service of the order. Therefore, Plaintiff's objection is untimely, no explanation is given for this untimeliness, and Plaintiff's objection to the amount of the fee award is disregarded.

As to Defendant's objections, this Court will reverse a magistrate judge's order on a nondispositive issue if it is clearly erroneous or contrary to law. 28 U.S.C. § 636(b)(1)(A); D. Minn. L.R. 72.2(a). The Court has reviewed the submissions and the record in this case and concludes that Chief Magistrate Judge Boylan's January 29, 2013 Order is neither clearly erroneous nor contrary to law. Therefore, the Order is affirmed.

Accordingly, based upon the files, records, and proceedings herein, **IT IS HEREBY ORDERED:**

1. Chief United States Magistrate Judge Arthur J. Boylan's January 29, 2013 Order [Docket No. 29] is **AFFIRMED**.

2. Defendant's objections to that Order [Docket No. 33] are **OVERRULED.**

Dated: May 7, 2013

s/ Michael J. Davis

Michael J. Davis

Chief Judge

United States District Court