

**DUCivR 72-3 RESPONSE TO OBJECTION TO NONDISPOSITIVE PRETRIAL DECISION**

**Approved by the rules committee on September 9, 2008.**

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**Reporter's Note: This amendment provides for a speedy resolution of discovery disputes when the magistrate judge's order is objected to by a party.**

**(a) Response to Objection to Nondispositive Pretrial Decision:**

~~Any party opposing an objection to a magistrate judge's order pursuant to Fed. R. Civ. P. 72(1) and 28 U.S.C. § 636(b)(1)(a) may file a response within ten (10) days after the objection has been filed.~~

**(b a) Stays of Magistrate Judge Orders.**

Pending a review of objections, motions for stay of magistrate judge orders shall be addressed initially to the magistrate judge who issued the order.

**(b) Ruling on Objections.**

Unless otherwise ordered by the assigned district judge, no response need be filed and no hearing will be held concerning an objection to a magistrate judge's order pursuant to FRCivP 72(a) and 28 § 636 (b)(1)(A). The district judge may deny the objection by written order at any time, but may not grant it without first giving the opposing party an opportunity to brief the matter. If no order denying the motion or setting a briefing schedule is filed within 15 days after the objection is filed, the non-moving party shall submit to the judge a proposed order denying the objection.