

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA

Vishal Shah v. Politico LLC

Shah · No. 25-cv-05213-NW · Decided November 21, 2025

SUMMARY

The United States District Court for the Northern District of California denied Politico LLC’s motion to set aside a magistrate judge’s nondispositive order denying a stay of discovery. Applying Federal Rule of Civil Procedure 72(a), the court concluded that the magistrate judge’s ruling was neither clearly erroneous nor contrary to law.

CASE DETAILS

COURT	United States District Court for the Northern District of California
WRITING FOR THE COURT	Noël Wise
JURISDICTION	United States District Court for the Northern District of California
DECIDED	November 21, 2025
DOCKET	25-cv-05213-NW
DISPOSITION	other
PROCEDURAL POSTURE	Defendant Politico LLC moved under Federal Rule of Civil Procedure 72(a) and Northern District of California Local Rule 72-2 for relief from a magistrate judge's nondispositive pretrial order denying Politico's motion to stay discovery.
STANDARD OF REVIEW	Under Federal Rule of Civil Procedure 72(a), a district judge must modify or set aside a magistrate judge's nondispositive order that is clearly erroneous or contrary to law. The ruling should be overturned only when the reviewing court is left with a definite and firm conviction that a mistake has been committed.
PRECEDENTIAL VALUE	nonprecedential

TOPICS

- discovery dispute
- civil procedure
- motions to dismiss

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the magistrate judge's denial of Politico's motion to stay discovery was clearly erroneous or contrary to law under Federal Rule of Civil Procedure 72(a).

HOLDINGS

1. The magistrate judge's denial of Politico's motion to stay discovery was not clearly erroneous or contrary to law, so the district court denied Politico's motion for relief.

KEY QUOTATIONS

“When reviewing a party’s objections to a magistrate judge’s nondispositive order, the district judge must ‘modify or set aside any part of the order that is clearly erroneous or is contrary to law.’” (1)

“A district court should only overturn a magistrate judge’s ruling ‘if it is left with the ‘definite and firm conviction that a mistake has been committed.’” (1)

FACTUAL BACKGROUND

Politico LLC sought to stay discovery in the litigation. Magistrate Judge Cousins denied that request in a nondispositive pretrial order. Politico then sought district-court relief from that order, while the district court also took a preliminary peek at the merits of the pending motion to dismiss and believed that at least some claims would survive.

PROCEDURAL HISTORY

Judge Cousins denied Politico's motion to stay discovery. Politico objected and moved for relief in the district court. The district court reviewed the hearing transcript, concluded that the magistrate judge's ruling was neither clearly erroneous nor contrary to law, and denied Politico's motion.

DISPOSITION

other

CASES CITED

- E.E.O.C. v. Peters' Bakery, 301 F.R.D. 482, 484 (N.D. Cal. 2014)
- Burdick v. C.I.R., 979 F.2d 1369, 1370 (9th Cir. 1992)

OPINION

1 2 3 4 UNITED STATES DISTRICT COURT 5 NORTHERN DISTRICT OF CALIFORNIA 6 7
VISHAL SHAH, Case No. 25-cv-05213-NW 8 Plaintiff, ORDER DENYING DEFENDANT’S 9
v. MOTION TO SET ASIDE NONDISPOSITIVE PRETRIAL ORDER 10 POLITICO LLC, Re:

ECF No. 50 Defendant. 11 12 13 Before the Court is Defendant Politico LLC's motion for relief from an order issued by 14 Judge Cousins denying Politico's motion to stay discovery.

ECF No. 50; L.R. 72-2. 15 When reviewing a party's objections to a magistrate judge's nondispositive order, the 16 district judge must "modify or set aside any part of the order that is clearly erroneous or is contrary 17 to law." Fed. R. Civ. P. 72(a). A district court should only overturn a magistrate judge's ruling "if 18 it is left with the 'definite and firm conviction that a mistake has been committed.'" E.E.O.C. v. 19 Peters' Bakery, 301 F.R.D.

482, 484 (N.D. Cal. 2014) (quoting *Burdick v. C.I.R.*, 979 F.2d 1369, 20 1370 (9th Cir. 1992)). 21 Judge Cousins' order was not clearly erroneous or contrary to law. The Court has 22 reviewed the transcript of the hearing in which Judge Cousins made his ruling, see ECF No. 50-2, 23 and finds his reasoning both persuasive and fair. Additionally, the Court has taken a "preliminary 24 peek" at the merits of the motion to dismiss and presently believes that at least some of the claims 25 \ 26 \ 27 \] will survive beyond the motion to dismiss stage.

The Court will develop its reasoning and issue 2 || an order on that motion. 3 Accordingly, Politico's motion is DENIED. 4 IT IS SO ORDERED. 5 Dated: November 21, 2025 6. Noël Wise 7 United States District Judge 8 9 10 1] as 12 13 «14 16 17 Oo Z 18 19 20 21 22 23 24 25 26 27 28