

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

HIP, INC.,)
)
Plaintiff,)
)
v.) Civil Action No. 18-802-CFC
)
HORMEL FOODS)
CORPORATION,)
)
Defendant.)

MEMORANDUM ORDER

Pending before the Court are Defendant Hormel Foods Corporation's
Objections to The Magistrate Judge's Order Dated March 31, 2020 (D.I. 75).

In her March 31st oral order, the Magistrate Judge denied Hormel's request
for an order to compel Plaintiff HIP, Inc. to produce certain documents HIP had
provided to third-party Marlen International.

"Pursuant to 28 U.S.C. § 636(b)(1)(A) and Federal Rule of Civil Procedure
72(a), non-dispositive pre-trial rulings made by magistrate judges on referred
matters should only be set aside if clearly erroneous or contrary to law." *Masimo
Corp. v. Philips Electronics North America Corporation*, 2010 WL 2836379, at *1
(D. Del. July 15, 2010). "A finding is clearly erroneous if the determination "(1) is
completely devoid of minimum evidentiary support displaying some hue of

credibility, or (2) bears no rational relationship to the supportive evidentiary data . . .” *Id.* (quoting *Haines v. Liggett Group Inc.*, 975 F.2d 81, 92 (3d Cir.1992)).

Applying this standard to the Magistrate Judge’s Order, the Court finds no error in her decision. The Magistrate Judge thoughtfully addressed the arguments raised by Hormel in support of its motion to compel. The Court is persuaded by the Magistrate Judge’s conclusions that the documents in question are protected from discovery under the common interest doctrine and HIP did not waive any privilege.

NOW THEREFORE, IT IS HEREBY ORDERED that Defendant Hormel Foods Corporation’s Objections to The Magistrate Judge’s Order Dated March 31, 2020 (D.I. 75) are OVERRULED.

5-27-20
Date



United States District Judge