

and/or in fraudulently inducing [Bloomberry's] entry into the [MSA],’ as opposed to Bloomberry’s argument that GGP had committed a fraud in the arbitration.” (Dkt. No. 165 at 7 (internal citation omitted).)

WHEREAS, for objections to a Magistrate Judge’s ruling on nondispositive matters, district courts must “modify or set aside any part of the order that is clearly erroneous or is contrary to law.” Fed. R. Civ. P. 72(a); *accord* 28 U.S.C. § 636(b)(1)(A). “A finding is ‘clearly erroneous’ when, although there is evidence to support it, the reviewing court on the entire evidence is left with the definite and firm conviction that a mistake has been committed.” *Castillo v. G&M Realty L.P.*, 950 F.3d 155, 167 (2d Cir. 2020) (quoting *United States v. U.S. Gypsum Co.*, 333 U.S. 364, 395 (1948)). “An order is contrary to law when it fails to apply or misapplies relevant statutes, case law or rules of procedure.” *Sec. & Exch. Comm’n v. Genovese*, No. 18 Civ. 942, 2021 WL 2986413, at *6 (S.D.N.Y. July 14, 2021) (citation omitted). “It is well-settled that a magistrate judge’s resolution of a nondispositive matter should be afforded substantial deference and may be overturned only if found to have been an abuse of discretion.” *Kaufman v. Salesforce.Com, Inc.*, No. 20 Civ. 6879, 2021 WL 2269552, at *2 (S.D.N.Y. June 3, 2021).

WHEREAS, an order regarding a motion to compel is nondispositive. *SEC v. Collector’s Coffee Inc.*, No. 19 Civ. 4355, 2021 WL 391298, at *4-6 (S.D.N.Y. Feb. 4, 2021) (treating a dispute related to a motion to compel as nondispositive and affording deference to the magistrate judge’s ruling). It is hereby

ORDERED that Defendants Bloomberry Resorts and Hotels Inc.’s and Sureste Properties, Inc.’s objections to the September 16, 2021, Order at Docket No. 155 are **OVERRULED**. It is well-settled that “[t]he confirmation of an arbitration award is a summary

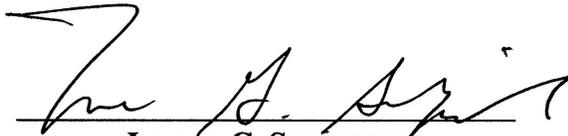
proceeding that merely makes what is already a final arbitration award a judgment of the court.”

Beijing Shougang Mining Inv. Co., Ltd. v. Mongolia, 11 F.4th 144, 160 (2d Cir. 2021).

Discovery in this proceeding similarly should be limited “to avoid undermining the twin goals of arbitration, namely, settling disputes efficiently and avoiding long and expensive litigation.” *Id.*

(internal quotation marks omitted). Accordingly, the September 16, 2021, Order denying the motion to compel is not clearly erroneous or contrary to law.

Dated: October 12, 2021
New York, New York

A handwritten signature in black ink, appearing to read "Lorna G. Schofield", written over a horizontal line.

LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE