

---

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF UTAH, CENTRAL DIVISION

---

SANDRA CK VAN ORNUM,  
Plaintiff,

v.

AMERICAN MEDICAL ASSOCIATION,  
*et al.*,  
Defendants.

**MEMORANDUM DECISION AND  
ORDER DENYING EX PARTE MOTION  
FOR LEAVE TO FILE ADDITIONAL  
REPLY TO PLAINTIFF'S SECOND  
OPPOSITION MEMORANDUM TO  
MOTION TO DISMISS (ECF NO. 134)**

Case No. 2:14-cv-921-RJS-EJF

District Judge Robert J. Shelby

Magistrate Judge Evelyn J. Furse

---

Defendant Hawaii Pacific Health Systems (“Hawaii Pacific”) seeks leave of court to file a reply memorandum to Plaintiff Sandra C.K. Van Ornum’s “Memoranda in Opposition to Motion Dkt Nos. 10-102 include; extension of time.” (ECF No. 134.)

On May 18, 2016, Hawaii Pacific filed a motion to dismiss Ms. Van Ornum’s Amended Complaint. (ECF No. 102.) Ms. Van Ornum filed her Response to Hawaii Pacific’s Motion to Dismiss on July 14, 2016. (ECF No. 121.) Hawaii Pacific filed its Reply on July 28, 2016. (ECF No. 128.)

On August 02, 2016, after briefing on the motion to dismiss closed, Ms. Van Ornum filed a “Memoranda in Opposition to Motion Dkt Nos. 10-102 include; extension of time.” (ECF No. 129, 130.) Ms. Van Ornum’s memoranda combined the filing of an opposition and a motion for extension of time. Accordingly, the Court modified the docket to appear as an opposition (ECF No. 129) and a motion for extension of time (ECF No. 130). On August 16, 2016, in response to Ms. Van Ornum’s Opposition (ECF No. 129), Hawaii Pacific filed the motion in question, an ex

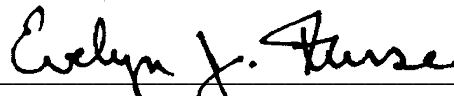
parte motion for leave to file additional reply to plaintiff's second opposition memorandum to motion to dismiss. (ECF No. 134.)

Civil Rule 7-1(b)(2)(A)-(B) of the Rules of Practice for the United States District Court for the District of Utah allows for one response and one reply memoranda in opposition to a Fed. R. Civ. P. 12(b) motion. Civil Rule 7-1(b)(2)(A)-(B) further states that "[n]o additional memoranda will be considered without leave of court." Ms. Van Ornum did not seek leave of court to file a second response to Hawaii Pacific's Motion to Dismiss. (ECF No. 102.)

Therefore, the Court DENIES Hawaii Pacific's ex parte motion for leave of court to file a second reply. For the same reason, the Court will not consider Ms. Van Ornum's second Opposition. (ECF No. 129.)

DATED this 19th day of August, 2016.

BY THE COURT:

A handwritten signature in black ink that reads "Evelyn J. Furse". The signature is written in a cursive style and is positioned above a horizontal line.

EVELYN J. FURSE

United States Magistrate Judge