

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE
MIDDLE DISTRICT OF ALABAMA, SOUTHERN DIVISION

IVAN KEITH GRAY,)	
)	
Plaintiff,)	
)	CIVIL ACTION NO.
v.)	1:14cv592-MHT
)	(WO)
CITY OF DOTHAN,)	
)	
Defendant.)	

ORDER

It is ORDERED as follows:

(1) The defendant's motion to strike (doc. no. 50) is denied.

(2) However, to the extent the defendant is merely objecting to the admissibility of evidence, the plaintiff is allowed until June 5, 2015, to respond.

In resolving the pending summary-judgment motion, the court has implicitly considered the motion to strike as a notice of objections to the testimony described. See Norman v. Southern Guar. Ins. Co., 191 F. Supp. 2d 1321, 1328 (M.D. Ala. 2002); Anderson v.

Radisson Hotel Corp., 834 F. Supp. 1364, 1368 n. 1
(S.D. Ga. 1993). The court is capable of sifting
evidence, as required by the summary-judgment standard,
without resort to an exclusionary process, and the
court will not allow the summary-judgment stage to
degenerate into a battle of motions to strike. Rather,
as is apparent from this order, the court will
entertain briefs on the admissibility of evidence.

DONE, this the 26th day of May, 2015.

/s/ Myron H. Thompson
UNITED STATES DISTRICT JUDGE