Wilborn v. Southern Union State Community College et al Doc. 67

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE

MIDDLE DISTRICT OF ALABAMA, EASTERN DIVISION

SELENIA WILBORN,	)	
	)	
Plaintiff,	)	
	)	CIVIL ACTION NO.
v.	)	3:08cv928-MHT
	)	(WO)
SOUTHERN UNION STATE	)	
COMMUNITY COLLEGE; et al.,	)	
	)	
Defendants.	)	

ORDER

It is ORDERED that defendants Southern Union State Community College, Alabama Department of Economic and Community Affairs, Alabama Department of Postsecondary Education, John Lee and Doug Conaway's joint motion to strike declarations of plaintiff Selenia Wilborn and Debra Reeves-Howard (doc. no. 44) is denied.

In resolving the pending summary-judgment motion, the court has implicitly considered the motions to strike as notices of objections to the evidence described and has considered any related briefs as arguments on the

Dockets.Justia.com

objections. 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.

DONE, this the 31st day of March, 2010.

/s/ Myron H. Thompson
UNITED STATES DISTRICT JUDGE