

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

JONATHAN PITTS,)	
)	
Plaintiff,)	
)	CIVIL ACTION NO.
v.)	3:14cv1027-MHT
)	(WO)
THE CITY OF TUSKEGEE,)	
et al.,)	
)	
Defendants.)	

ORDER

It is ORDERED as follows:

(1) The plaintiff's motion to strike (doc. no. 26) is denied.

(2) However, to the extent the plaintiff is merely objecting to the admissibility of evidence, the defendants are allowed until October 16, 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 9th day of October, 2015.

/s/ Myron H. Thompson
UNITED STATES DISTRICT JUDGE