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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

Venustiano Nieto Beltran,)	
<i>et al.</i>)	
Plaintiffs,)	No. CIV-07-1421-PHX-RCB
)	
vs.)	O R D E R
)	
United States of America,)	
)	
Defendant.)	
)	

Pending before the court is plaintiffs' Motion for Oral Argument on Defendant's Motion to Judgment on the Pleadings (doc. 28). Having considered that Motion, as well as the defendant's Response thereto (doc. 30), the court hereby DENIES same.

Denial is mandated for two reasons. First, plaintiffs did not comply with LRCiv 7.2(f), which governs requests for oral argument in this District. That Rule provides in relevant part that "a party desiring oral argument shall request it by placing 'Oral Argument Requested' immediately below the title of such motion or the response to such motion." LRCiv 7.2(f) (emphasis added). Plaintiffs' response (doc. 24), filed on September 5, 2008, to defendants' motion for judgment on the pleadings does not include

1 such a request. The court will not overlook this procedural
2 defect, especially given the fact that oral argument will not
3 assist the court.

4 Plaintiffs' request is in part based upon what they
5 anticipated would be a "disadvantage" arising from the content of
6 defendant's reply. Mot. (doc. 28) at 1. After reviewing that
7 reply, the court sees not such "disadvantage." Defendant's reply,
8 not surprisingly, simply refutes the arguments in plaintiffs'
9 response. That is an insufficient basis upon which to grant oral
10 argument. Where, as here, the legal issues are relatively
11 straightforward and the parties have had ample opportunity to brief
12 them, oral argument will not assist the court.

13 Accordingly, for the reasons set forth above, the court HEREBY
14 DENIES plaintiffs' Motion for Oral Argument on Defendants' Motion
15 for Judgment on the Pleadings (doc. 28).

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18 DATED this 29th day of September, 2008.

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25 Copies to counsel of record

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Robert C. Broomfield
Senior United States District Judge