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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

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9	Saguaro Medical Associates, P.C., an)	No. CV-08-1386 PHX-DGC
	Arizona professional corporation; and)	
10	Rakesh Malhotra, M.D.,)	ORDER
)	
11	Plaintiffs,)	
)	
12	vs.)	
)	
13	Banner Health, an Arizona corporation,)	
	d/b/a Banner Thunderbird Medical)	
14	Center,)	
)	
15	Defendant.)	
)	
16)	

17 On July 24, 2009, the deadline for filing dispositive motions (Dkt. #24), Defendant
18 filed a motion for summary judgment and a motion to exceed page limits. Dkt. ##108, 110.
19 Because the summary judgment motion was filed prior to the granting of the motion to
20 exceed page limits, the Clerk re-entered the summary judgment motion as a lodged
21 document. Dkt. ##111-12. The summary judgment motion was re-filed by the Clerk when
22 the Court granted the motion to exceed page limits on August 5, 2009. Dkt. ##113-14.

23 Plaintiffs have filed a motion to strike Defendant’s summary judgment motion on
24 the ground that it was untimely filed. Dkt. #116. The motion has been fully briefed.
25 Dkt. ##117-18. The Court will deny the motion.

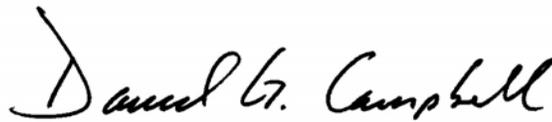
26 Motions to strike are governed by Rule 7.2(m) of the Court’s Local Rules of Civil
27 Procedure. Plaintiffs’ motion fails to address this rule and will therefore be denied. Even
28 if the Court were to consider the motion on its merits, the Court would deny the motion. The

1 Court construes Defendant's motion to exceed page limits as also requesting an extension
2 of time to file its summary judgment motion, and the Court will grant that request. Plaintiffs
3 shall file a response to the summary judgment motion by September 11, 2009.

4 **IT IS ORDERED:**

- 5 1. Plaintiffs' motion to strike (Dkt. #116) is **denied**.
- 6 2. Plaintiffs shall file a response to Defendant's summary judgment motion
7 (Dkt. #114) by **September 11, 2009**.

8 DATED this 31st day of August, 2009.

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13 David G. Campbell
14 United States District Judge
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