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

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LaShauna Coleman,

) No. CV 09-2692 PHX DGC

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Plaintiff,

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v.

) **ORDER**

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American Home Mortgage Servicing,  
Inc., et al.,

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) Defendants.

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Defendants American Home Mortgage Servicing, Inc., Sand Canyon Corporation, Option One Mortgage Corporation, and individually named employees of those Defendants have filed a motion to dismiss. Dkt. #16. Plaintiff LaShauna Coleman has filed a motion to strike Defendants’ motion to dismiss on four grounds: (1) Defendants’ motion does not comply with Federal Rule of Civil Procedure 8(a)(d)(1); (2) Defendants’ motion does not comply with Federal Rule of Civil Procedure 10(b); (3) Defendants’ attorney has not complied with Arizona Rule of Civil Procedure 5.1; and (4) Defendants have not complied with Federal Rule of Civil Procedure 7.1.

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Coleman has not identified any statute or rule authorizing her motion to strike as required by Rule 7.2 of the Court’s Local Rules of Civil Procedure. *See* LRCiv 7.2(m)(2). Moreover, as to her first and second arguments, Defendants’ motion to dismiss is not a “pleading” as contemplated by the Federal Rules. Rather, it is a motion to which Rule 8(a)(d)(1) and Rule 10(b) do not apply.

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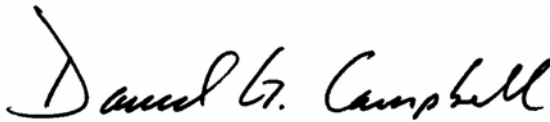
As to her third argument, Coleman states that she relies on “Fed. R. Civ. Proc.

1 5.1(a)(1),” but she quotes “Ariz. R. Civ. P. 5.1(a)(1).” Dkt. #23 at 2. Arizona Rules of Civil  
2 Procedure are not used by this Court. This is a federal court where the Federal Rules of Civil  
3 Procedure apply.

4 As to her final argument, Coleman cites no authority showing that this Court may  
5 strike Defendants’ motion to dismiss based on a failure to comply with Federal Rule of Civil  
6 Procedure 7.1.

7 **IT IS ORDERED** that Coleman’s motion to strike (Dkt. #23) is **denied**.

8 DATED this 4th day of February, 2010.

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13 David G. Campbell  
14 United States District Judge  
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