

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF CALIFORNIA

PADRES HACIA UNA VIDA MEJOR,
an unincorporated association, and EL
PUEBLO PARA EL AIRE Y AGUA
LIMPIO, an unincorporated association,

Plaintiffs,

v.

LISA P. JACKSON, in her official
capacity as Administrator of the U.S.
Environmental Protection Agency, and
U.S. ENVIRONMENTAL
PROTECTION AGENCY,

Defendants.

1:11-cv-1094 AWI DLB

ORDER ON PLAINTIFF'S EX
PARTE APPLICATION TO
SHORTEN TIME

(Doc. No. 54)

Currently set for hearing and decision on December 3, 2012, is Defendants' motion to dismiss. On November 19, 2012, Plaintiffs filed a motion to strike part of the reply brief. See Doc. No. 53. Plaintiffs contend that Defendants are improperly raising new grounds for dismissal in the reply brief. Plaintiffs also filed an ex parte application to shorten time on their motion to strike. See Doc. No. 54.

The Court will not grant Plaintiff's request to shorten time. Plaintiffs have adequately informed the Court that they believe that Defendants are improperly raising issues in the reply brief. The Court will note and consider this objection in ruling on Defendants' motion. A formal motion to strike, which would entail the filing of an additional opposition and an additional reply, is not necessary.

Accordingly, IT IS HEREBY ORDERED that Plaintiffs' ex parte motion to shorten time is DENIED.

IT IS SO ORDERED.

Dated: November 21, 2012


UNITED STATES DISTRICT JUDGE