

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

MARTINI E RICCI IAMINO S.P.A. –
CONSORTILE SOCIETA AGRICOLA,
an Italian Company,

1:13-cv-276-AWI-SAB

Plaintiff,

V.

TRINITY FRUIT SALES COMPANY,
INC., a California Corporation, and DOES
1-20,

**ORDER GRANTING
DEFENDANT'S MOTION FOR
LEAVE TO FILE A
SUPPLEMENTAL BRIEF IN
REPLY TO PLAINTIFF'S REPLY
IN SUPPORT OF MOTION FOR
SUMMARY JUDGMENT**

(Doc. 25)

Defendants.

On Monday April 14, Defendant, Trinity Fruit Company, Inc. (“Trinity”) filed a motion pursuant to Local Rule 230(e) seeking leave for Defendant to file a supplemental brief, or sur-reply, to Plaintiff Martini e Ricci Iamino S.P.A. Consortile Societa Agricola’s (“Martini”) Reply in Support of Motion for Summary Judgment. The Court has considered Martini’s opposition to Trinity’s motion. This Court recognizes that by not extending the briefing schedule earlier Martini was not afforded the usual time to file an opposition to Trinity’s counter-motion. Despite this procedural irregularity, Martini was able to address Trinity’s contentions in its reply.

1 Trinity's motion for leave to file a sur-reply is GRANTED. In order to be timely the above
2 mentioned brief must be filed within seven (7) days of this order. The brief must not exceed eight (8)
3 pages.

4 IT IS SO ORDERED.

5 Dated: April 17, 2014


6 _____
7 SENIOR DISTRICT JUDGE
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28