



1 Plaintiff now moves the Court to sanction Defendant for filing a late reply brief and  
2 moves the Court to disregard the brief on that basis. (ECF No. 69.)

3 Sanctions are not appropriate here. Defendant secured a seven-day extension from this  
4 Court after the Court had already given Plaintiff a forty-five-day extension. There is no indication  
5 that Defendant sought the extension in bad faith. While Plaintiff notes that he was not given a  
6 chance to oppose Defendant's request for an extension, he fails to demonstrate how he was  
7 prejudiced, especially when he had already been given a forty-five-day extension to file an  
8 opposition to the motion for summary judgment.

9 For these reasons, Plaintiff's "Motion to Sanction Defendant and Motion to Disregard any  
10 Reply Brief by Defendant" (ECF No. 69.) is DENIED.

11 IT IS SO ORDERED.

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13 Dated: May 21, 2019

14 /s/ Eric P. Gray  
15 UNITED STATES MAGISTRATE JUDGE  
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