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

ARTHUR CARR,

Plaintiff,

No. 2:09-cv-0826 GEB KJN P

vs.

H. HER, et al.,

Defendants.

ORDER

_____ /

On August 5, 2011, plaintiff filed a motion for reconsideration of this court’s July 26, 2011 order denying plaintiff’s motions for extensions of time to file a surreply. Plaintiff argues that he mistakenly believed that a surreply was an appropriate response to defendants’ June 6, 2011 motion to strike. Plaintiff asks the court to grant plaintiff leave to file a proper opposition to defendants’ motion to strike.

Review of defendants’ June 6, 2011 reply reflects that defendants included motions to strike plaintiff’s evidence to which defendants raised an objection (dkt. no. 121-1-2.) Thus, plaintiff is granted an opportunity to oppose defendants’ motions to strike. Fed. R. Civ. P. 60(b). Plaintiff is cautioned that his filing is limited to the evidence to which defendants raised an objection. No additional filings in connection with the motion for summary judgment are permitted. The court is not inclined to grant additional extensions of time.

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IT IS HEREBY ORDERED that:

1. Plaintiff's August 5, 2011 motion (dkt. no. 140) is granted;
2. On or before August 29, 2011, plaintiff shall file his opposition to defendants' motions to strike; defendants' reply, if any, shall be filed seven days thereafter.

DATED: August 8, 2011


KENDALL J. NEWMAN
UNITED STATES MAGISTRATE JUDGE

carr0826.rec