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 11 **UNION PACIFIC RAILROAD COMPANY**

12  
 13 IN THE UNITED STATES DISTRICT COURT  
 14 IN AND FOR THE EASTERN DISTRICT OF CALIFORNIA

16 JEREMY GILMORE AND DANA  
 17 GILMORE,

18 Plaintiffs

19 v.

20 UNION PACIFIC RAILROAD COMPANY,  
 21 DENNIS MAGURES, JOHN PARKER,  
 CAROLYN M. WILL, ANDREW RIBBING  
 22 and LEO MARIN and DOES 1 to 10,  
 inclusive,

23 Defendants.  
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Case No. 2:09-02180-KJM-DAD

**DEFENDANT’S REQUEST FOR  
 PAGE LIMITATION EXTENSION  
 FOR MOTION FOR SUMMARY  
 JUDGMENT/SUMMARY  
 ADJUDICATION; ORDER  
 THEREON**

25 Defendant UNION PACIFIC RAILROAD COMPANY (“UNION PACIFIC”) hereby  
 26 requests that the Court allow Defendant to file a motion for summary judgment/  
 27 summary adjudication in this matter that exceeds the page limitation of twenty  
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1 (20) pages, which is set forth in the Court's Amended Pretrial Scheduling Order  
2 dated March 18, 2011. There is good cause to allow Defendant to file a  
3 supporting memorandum in excess of the page limitation for the following  
4 reasons:

5 Numerous distinct and complex claims against Defendant Union Pacific  
6 remain as follows: Plaintiff JEREMY GILMORE asserts claims under the  
7 Federal Employers Liability Act for personal injury; wrongful discharge in  
8 violation of California Labor Code § 132(a), 49 U.S.C. § 20109, and the public  
9 policy of California; and invasion of privacy. Plaintiff DANA GILMORE asserts  
10 claims for wrongful discharge for assertion of constitutional right of privacy;  
11 FEHA retaliation for opposing practices and policies that penalized the status  
12 of marriage and violated her duties of loyalty and confidentiality to her  
13 husband; and invasion of privacy. Each of these claims involves complicated  
14 legal and factual issues that Defendant needs to present to the Court by way of  
15 summary judgment / summary adjudication motion.

16 Given the numerous claims presented by both Plaintiffs Dana and Jeremy  
17 Gilmore's complaint and the legal and factual matters at issue in this case,  
18 Defendant cannot adequately address the issues to be presented to the Court by  
19 way of a summary judgment motion in a memorandum which is limited to  
20 twenty (20) pages. Defendant believes that it can adequately address the issues  
21 in a memorandum not exceeding thirty (30) pages and hereby requests that the

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1 Court grant a page limitation increase, given the circumstances of this case.

2 Dated: April 21, 2011

MURPHY, CAMPBELL, GUTHRIE &  
ALLISTON

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By /s/ Naisha Covarrubias  
NAISHA COVARRUBIAS  
STEPHANIE L. QUINN  
Attorneys for Defendant  
Union Pacific Railroad Co.

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**ORDER**

9 IT IS SO ORDERED.

10 Dated: April 22, 2011.

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UNITED STATES DISTRICT JUDGE

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