

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

ROBERT KALANI,  
Plaintiff,  
v.  
CASTLE VILLAGE LLC, FUJINAKA  
PROPERTIES, L.P.,  
Defendants.

No. CIV. S-12-2330 LKK/CKD

**ORDER**

1. On February 14, 2014, defendants noticed a summary judgment motion for March 17, 2014 (ECF No. 35). On March 10, 2014, defendants noticed a second summary judgment motion (ECF No. 43), scheduling it for hearing on April 7, 2014.

The court's review of both motions shows that they are in essence, one motion divided into two parts. The first part argues that plaintiff's Americans with Disability Act ("ADA") lawsuit should be dismissed because the facilities at issue are not places of public accommodation. The second part argues that even if the court finds that the facilities are public accommodations, the lawsuit should nevertheless be dismissed as

1 moot.

2 The court concludes that defendants are attempting to  
3 circumvent the court's 30-page limit on motion papers, as the  
4 combined motion is in excess of 30 pages. See Order of September  
5 11, 2012 (ECF No. 4) ¶ 11 ("Unless prior permission has been  
6 granted, memoranda of law in support of and in opposition to  
7 motions are limited to thirty (30) pages .... The parties are also  
8 cautioned against filing multiple briefs to circumvent this  
9 rule").

10 Accordingly, the court orders defendants' second summary  
11 judgment motion (ECF No. 43) **STRICKEN** from the docket.

12 2. Defendants' surviving motion for summary judgment (ECF  
13 No. 35), currently noticed for March 17, 2014, is hereby  
14 **CONTINUED** to April 7, 2014, so that it may be heard together with  
15 plaintiff's summary judgment motion (ECF No. 41).

16 IT IS SO ORDERED.

17 DATED: March 12, 2014.

18

19

20

21

22

23


24

25

26

27

28

  
LAWRENCE K. KARLTON  
SENIOR JUDGE  
UNITED STATES DISTRICT COURT