1 2 3 4 5 6 7 8 UNITED STATES DISTRICT COURT 9 EASTERN DISTRICT OF CALIFORNIA 10 11 KARIN BJORK. No. 2:14-cv-01983-MCE-EFB 12 Plaintiff. 13 **ORDER** ٧. 14 COUNTY OF PLACER THE DISTRICT ATTORNEY'S OFFICE, and DOES 1 15 through 10, inclusive, 16 Defendants. 17 18 Presently before the Court is Plaintiff's Motion to Strike (ECF No. 89) Defendant 19 County of Placer's Motion for Summary Judgment in this matter (ECF No. 69) on 20 grounds that Defendant County did not comply with the Court's order concerning filing a 21 redacted copy of that Motion. 22 On November 21, 2016, Defendant filed a request to seal certain documents 23 and/or redact various names (ECF No. 68) in its contemplated motion for summary 24 judgment. Defendant County's Motion for Summary Judgment was thereafter filed on 25 December 1, 2016, with unredacted copies provided to the Court and to Plaintiff. In the 26 meantime, by the time Defendant's sealing request was granted in part by Order dated 27 January 6, 2017 (ECF No. 74), one of the deadlines initially contemplated by the Order 28 had passed since by its terms, the January 6, 2017 Order required Defendant to file its 1

redacted copy of the pending Motion for Summary Judgment by December 29, 2016, a date that had passed a week beforehand. Rather than applying for an additional extension to correct this discrepancy, and in order to preserve the remaining deadlines set forth in the January 6, 2017 Order, the Defendant County simply filed in redacted papers on January 13, 2017.

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Plaintiff's Motion to Strike is predicated on an argument that Defendant County's failure to specifically address this discrepancy, and to request an additional extension or request relief from its late filing, merits dismissal of its moving papers for summary judgment in their entirety.

Plaintiff's Motion to Strike (ECF No. 89) is DENIED.¹ Both Plaintiff and the Court already had full unredacted copies of the moving papers, and Defendant County could not have met a deadline that had inadvertently passed before the order authorizing it was signed. Defendant County's decision to simply file the redacted copies forthwith made sense and in no way justifies striking the County's moving papers as Plaintiff advocates.

IT IS SO ORDERED.

Dated: September 26, 2017

MORRISON C. ENGLAND, JR) UNITED STATES DISTRICT JUDGE

¹ Having determined that oral argument would not be or material assistance, the Court ordered this Motion submitted on the briefs in accordance with E.D. Local Rule 230(g).