

United States District Court
For the Northern District of California

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

VALERIE GEORGE, et al.,

No. C-08-02675 EDL

Plaintiffs,

**ORDER RE: PLAINTIFFS’
OPPOSITIONS TO THE COUNTY
DEFENDANTS’ MOTIONS FOR
SUMMARY JUDGMENT**

v.

SONOMA COUNTY SHERIFF’S DEPT.,
et al.,

Defendants.

On August 27, 2010, the County Defendants filed an Ex Parte Application for Administrative Relief and Approval to File Reply Briefs in Excess of 15 Pages, arguing that Plaintiffs’ two briefs filed in opposition to the County Defendants’ Motions for Summary Judgment violate Local Rule 3-4(c)(2) because the briefs contain a small font size and because large portions of the brief are single spaced. Therefore, Defendants argue that Plaintiffs have violated Local Rule 7-4(b), which limits opposition briefs to 25 pages of text. The Court has examined Plaintiffs’ opposition briefs, and has found that Plaintiffs included numerous pages of single-spaced text and used a 10-point font for numerous pages of footnote text. Accounting for the various font sizes and line spacing, the Court conservatively estimates Plaintiffs’ opposition briefs to be 39 and 47 pages long. Plaintiffs did not seek leave to file briefs in excess of the 25 page limit for opposition briefs.

Plaintiffs contend that they believed that the stipulation granting leave to the County Defendants to file opening summary judgment briefs of up to 35 pages each was reciprocal. Thus, Plaintiffs argue that they believed that they could file opposition briefs of up to 35 pages each. The stipulation, however, clearly states that leave was sought for the County Defendants only. See Docket No. 327. However, even if the stipulation had provided leave to Plaintiffs to file opposition briefs of up to 35 pages, Plaintiffs have not stayed within that limit. The Court is not persuaded that

1 Plaintiffs' failure to comply with the Local Rules regarding font size and line spacing was
2 inadvertent. However, the Court declines to impose the harsh remedy of striking Plaintiffs'
3 opposition briefs as sought by the County Defendants. Instead, the Court orders that Plaintiffs are
4 prohibited from filing briefs with footnotes in this Court in the future, and shall ensure that all court
5 filings are written in 12-point Times New Roman text. Failure to comply with this order may result
6 in sanctions, including, but not limited to, striking a non-compliant brief.

7 **IT IS SO ORDERED.**

8 Dated: August 31, 2010

Elizabeth D. Laporte

ELIZABETH D. LAPORTE
United States Magistrate Judge

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