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United States District Court  
For the Northern District of California

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

DONNIE COX,

No. C 08-03927 WHA

Plaintiff,

v.

ELECTRONIC DATA  
SYSTEMS CORPORATION;  
and DOES 1 through 10, inclusive,

Defendants.


**ORDER GRANTING PLAINTIFF'S  
REQUEST TO FILE A SURREPLY  
TO DEFENDANT'S REPLY BRIEF  
IN SUPPORT OF ITS MOTION FOR  
SUMMARY JUDGMENT, AND DENYING  
PLAINTIFF'S MOTION TO STRIKE  
NEW EVIDENCE SUBMITTED IN  
SUPPORT OF DEFENDANT'S REPLY  
BRIEF IN SUPPORT OF ITS MOTION  
FOR SUMMARY JUDGMENT**

In this wrongful termination action, defendant Electronic Data Systems Corporation has moved for summary judgment against plaintiff Donnie Cox. Plaintiff now moves to file a surreply to defendant's reply brief filed in support of its motion for summary judgment. Plaintiff's request is **GRANTED**. Plaintiff may submit a five-page surreply brief, together with whatever sworn declarations are needed, by **NOON ON MONDAY, NOVEMBER 16, 2009**.

In the alternative, plaintiff has moved to strike new evidence submitted in support of defendant's reply brief in support of its motion for summary judgment. This request is **DENIED**.

**IT IS SO ORDERED.**

Dated: November 12, 2009.

  
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WILLIAM ALSUP  
UNITED STATES DISTRICT JUDGE