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

United States District Court  
Northern District of California

KFD ENTERPRISES, INC.,  
  
Plaintiff - Counter-Defendant - Cross-  
Defendant,  
  
v.  
  
CITY OF EUREKA,  
  
Defendant - Counter-Claimant -  
Cross-Claimant.

Case No.: 08-4571 MMC (JSC)

**ORDER RE: MOTION TO STRIKE  
CITY OF EUREKA'S RULE 26  
DISCLOSURES (Dkt No. 579)**

Plaintiff KFD Enterprises, Inc., (“KFD”) seeks to recover damages from Defendant City of Eureka (“the City”) and several other defendants relating to contamination of the soil and groundwater at a dry cleaning site it operates. Now pending before the Court is KFD’s Motion to Strike the City of Eureka’s February 20, 2013 Rule 26(e) Disclosures. (Dkt. No. 579.) After carefully considering the pleadings and having had the benefit of oral argument on April 25, 2013, for the reasons stated on the record the Court DENIES the motion to strike without prejudice to renewal in the event that the City serves supplemental expert reports.

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**IT IS SO ORDERED.**

Dated: April 25, 2013

  
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JACQUELINE SCOTT CORLEY  
UNITED STATES MAGISTRATE JUDGE