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4 UNITED STATES DISTRICT COURT  
5 NORTHERN DISTRICT OF CALIFORNIA  
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7 UNITED STATES OF AMERICA, ex. rel.  
8 CAMPIE *et al.*,

No. C-11-0941 EMC

9 Plaintiffs,

10 v.

**ORDER GRANTING RELATORS'  
MOTION FOR LEAVE TO FILE  
SUPPLEMENTAL BRIEFING**

11 GILEAD SCIENCES, INC., *et al.*,

(Docket No. 112)

12 Defendants.  
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14 On November 12, 2014, Relators filed a motion seeking leave to file a supplemental brief in  
15 light of this Court's questioning at the October 21, 2014 hearing on Defendants' motion to dismiss.  
16 Dkt. No. 112. Defendants have opposed this motion.

17 Northern District of California Local Rule 7-3(d) provides that “[o]nce a reply is filed, no  
18 additional memoranda, papers or letters may be filed without prior Court approval.” While  
19 Defendants take issue with Relators' motion, an administrative motion under Local Rule 7-11 is the  
20 proper vehicle for seeking leave to file a supplemental brief. *See, e.g., Michael Taylor Designs, Inc.*  
21 *v. Travelers Property Cas. Co. of Am.*, 761 F. Supp. 2d 904, 909 (N.D. Cal. 2011). At the same  
22 time, Defendants are correct that such motions should “avoid arguing the merits to the extent  
23 possible” but rather should concisely explain why further briefing is necessary and not cumulative of  
24 other submissions. *Id.*


25 Relators’ motion for leave to file a supplemental brief is **GRANTED** and the document  
26 attached as Exhibit A to Relators’ motion will be filed. Defendants may, if they so choose, file a  
27 sur-response not to exceed 10 pages by **Monday, November 24, 2014 at 3:00pm**. No further filings  
28 will be accepted after this date.

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This order disposes of docket number 112.

IT IS SO ORDERED.

Dated: November 13, 2014

  
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EDWARD M. CHEN  
United States District Judge