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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

GREENCYCLE PAINT, INC.,  
Plaintiff,  
v.  
PAINTCARE, INC., et al.,  
Defendants.

Case No. [15-cv-04059-MEJ](#)

**ORDER DENYING PAINTCARE INC.'S  
MOTION TO FILE REPLY**

Re: Dkt. No. 69

The Court previously ordered Defendant PaintCare Inc. (“PaintCare”) to file a supplemental brief to its Motion to Dismiss and ordered Plaintiff GreenCycle Paint, Inc. (“Plaintiff”) to file a response. Order, Dkt. No. 66. PaintCare and Plaintiff timely filed these documents. *See* Suppl. Br., Dkt. No. 67; Suppl. Resp., Dkt. No. 68. PaintCare now moves for leave to file a reply to Plaintiff’s response. Mot., Dkt. No. 69; Ex. A (Proposed Reply), *id.* Plaintiff opposes PaintCare’s Motion. Opp’n, Dkt. No. 70.

As an initial matter, PaintCare’s Motion violates Civil Local Rule 7-11(a) because it does not contain “a stipulation under Civil L.R. 7-12 or [] a declaration that explains why a stipulation could not be obtained.” Further, PaintCare does not explain why it could not include the arguments set forth in its proposed Reply in its supplemental brief. Indeed, it appears PaintCare could have done so: PaintCare’s supplemental brief consists of only 7 of its allotted 10 pages. *See* Suppl. Br.; Order at 2. Accordingly, the Court **DENIES** PaintCare’s motion.

**IT IS SO ORDERED.**

Dated: January 3, 2017

  
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MARIA-ELENA JAMES  
United States Magistrate Judge