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Attorneys for Defendant

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

14	Gina McKeen-Chaplin, individually,)	Case No. 10-cv-05243-SBA
	on behalf of herself and all others)	
15	similarly situated,)	
)	
16	Plaintiff,)	ORDER
)	
17	v.)	
)	
18	Franklin American Mortgage Company)	
19	and DOES 1-50, inclusive,)	
)	
20	Defendants.)	
)	
21)	

ORDER DENYING DEFENDANT’S MOTION FOR RELIEF FROM LOCAL RULE 7-3(a)


Case No. 10-cv-05243-SBA

1 Defendant Franklin American Mortgage Company seeks leave to file a 35-page
2 memorandum in support of its opposition to Plaintiff's motion to conditional class certification.
3 Absent leave of court, the maximum length of an opposition memorandum is twenty-five pages.
4 Civ. L.R. 7-4(b). As grounds for the request, Defendant assert the instant action is a "complex
5 case in which Plaintiff has moved the Court to conditionally certify a nationwide FLSA
6 collective." (Docket 45.) Moreover, Defendant maintain it has tried to limit its opposition's
7 content to twenty-five pages, but believes it will not be able to do so. The Court finds that the
8 reasons put forth by Defendant lack merit. Defendant should be aware that arguments presented
9 in a direct and concise manner are generally more effective that those that are not. See Fleming
10 v. County of Kane, State of Ill., 855 F.2d 496, 497 (7th Cir. 1988) ("Overly long briefs, however,
11 may actually hurt a party's case, making it far more likely that meritorious arguments will be lost
12 amid the mass of detail.") (quoting in part United States v. Keplinger, 776 F.2d 678, 683 (7th
13 Cir.1985)); Weilert v. Health Midwest Development Group, 95 F. Supp.2d 1190, 1192 (D. Kan.
14 2000) ("Judicial economy and concise argument are purposes of the page limit."). Accordingly,

15 IT IS HEREBY ORDERED THAT Defendant's motion to file an oversized brief is
16 DENIED. Both parties are advised to avoid the excessive use of footnotes as a means of
17 circumscribing the page limits specified in Civil Local Rules 7-2(a), 7-3(a) and 7-3(c).

18 IT IS SO ORDERED.

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20 DATED: May 1, 2011.

21 
22 SAUNDRA B. ARMSTRONG
23 Judge
24 United States District Court
25 Northern District of California
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