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3 UNITED STATES DISTRICT COURT
4 NORTHERN DISTRICT OF CALIFORNIA
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6 WELLS FARGO AND CO., et al.,

7 Plaintiffs,

No. C 12-3856 PJH

8 v.

ORDER RE MOTION TO EXCLUDE9 ABD INSURANCE AND FINANCIAL
10 SERVICES, et al.,11 Defendants.
12 _____/

13 On July 17, 2014, plaintiff Wells Fargo filed a motion to strike (or “exclude”) an
14 expert declaration filed in connection with defendants’ opposition to Wells Fargo’s motion
15 for preliminary injunction. Plaintiff’s motion was filed on the same day as its reply brief in
16 support of its preliminary injunction motion.

17 It appears to the court that Wells Fargo filed the motion to strike/exclude as a means
18 of circumventing Civil Local Rule 7-3(c), which requires “[a]ny evidentiary and procedural
19 objections to the opposition” to be contained within the reply brief itself, and not filed as a
20 separate document. The court notes that Wells Fargo’s reply brief contained 15 pages of
21 text (the maximum permitted by Local Rule 7-3(c)), and that the motion to strike/exclude
22 contained an additional 12 pages of text.

23 Thus, at the August 6, 2014 hearing on its preliminary injunction motion, Wells Fargo
24 will be ORDERED to SHOW CAUSE as to why the motion to strike/exclude should not be
25 stricken for violating this court’s local rules. If the motion is not stricken, the court will set a
26 new briefing schedule at the hearing. Until then, all deadlines associated with the motion to
27 strike/exclude are VACATED.
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IT IS SO ORDERED.

Dated: July 21, 2014



PHYLLIS J. HAMILTON
United States District Judge