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United States District Court
Northern District of California

DR. JAMES M. SWANSON,

Plaintiff,

v.

ALZA CORPORATION,

Defendant.

Case No.: CV 12-04579-PJH (KAW)

ORDER DENYING DEFENDANT’S
ADMINISTRATIVE REQUEST TO FILE
UNDER SEAL & MOTION FOR LEAVE TO
FILE PROPOSED SUPPLEMENT;
ORDER GRANTING PLAINTIFF’S
MOTION TO STRIKE

(Dkt. Nos. 88, 89 & 93)

On September 19, 2013, the Court held a hearing on the parties’ August 15, 2013 joint discovery letter. Thereafter, on September 25, 2013, Defendant ALZA Corporation (“ALZA”) filed several additional documents, including a Motion for Leave to File Proposed Supplement to the Parties’ Joint Discovery Report. (Dkt. Nos. 88-92.) In response, Plaintiff Dr. James M. Swanson filed a Motion to Strike Defendant’s numerous documents on the grounds that the Court did not invite either party to submit supplemental briefing or arguments. (Pl.’s Mot. to Strike, Dkt. No. 93, at 1.)

In fact, the Court did not invite either party to file supplemental materials in support of their positions, and, at the hearing, the parties stated on the record that they were comfortable with the Court ruling based on the information already in its possession. The Court will, therefore, not consider the supplemental information provided by Defendant.

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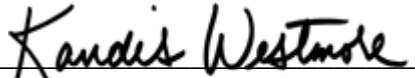
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Defendant’s Motion for Leave to File Proposed Supplement to Parties’ Joint Discovery Report (Dkt. No. 89) and Administrative Request to File Under Seal (Dkt. No. 88) are DENIED, and any related declarations, attachments and exhibits (Dkt. Nos. 88-1, 90-92) will not be considered. Plaintiff’s Motion to Strike is GRANTED.

This terminates Docket Numbers 88, 89, and 93.

IT IS SO ORDERED.

DATE: September 27, 2013


KANDIS A. WESTMORE
United States Magistrate Judge