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3 UNITED STATES DISTRICT COURT
4 NORTHERN DISTRICT OF CALIFORNIA
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6 PEGGY A. VANWAGENEN,

7 Plaintiff,

8 vs.
9

10 NELSON & KENNARD and ROBERT
11 SCOTT KENNARD, individually and in his
official capacity,

12 Defendants.
13

Case No.: 12-cv-04736-YGR

**ORDER GRANTING MOTION TO STRIKE
AFFIRMATIVE DEFENSES**

14 Plaintiff filed a Motion to Strike Affirmative Defenses on December 4, 2012. (Dkt. No.
15 13.) Defendants' opposition was due on December 18, 2012. Civ. L.R. 7-3(a). No opposition was
16 filed. Plaintiff filed a Statement of No Opposition Received to Motion to Strike Affirmative
17 Defenses on January 4, 2013. (Dkt. No. 15.) The hearing is scheduled for January 15, 2013.

18 Because of Defendants' failure to timely oppose the Motion to Strike Affirmative Defenses,
19 and good cause appearing, the Court **GRANTS** Plaintiff's Motion to Strike. All of Defendants'
20 affirmative defenses contained in their Answer (Dkt. No. 12) are hereby **STRICKEN**. Any attempt
21 to re-assert any of the stricken affirmative defenses must be done by way of noticed motion in
22 compliance with the Civil Local Rules.

23 The hearing scheduled for January 15, 2013 is hereby **VACATED**. This Order terminates
24 Dkt. No. 13.

25 **IT IS SO ORDERED.**
26

27 Dated: January 4, 2013
28


YVONNE GONZALEZ ROGERS
UNITED STATES DISTRICT COURT JUDGE