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6 UNITED STATES DISTRICT COURT  
7 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
8 OAKLAND DIVISION  
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10 YIN KUEN CHEUNG and  
11 MARINA CHEUNG YIU,

12 Plaintiffs,

13 vs.

14 WELLS FARGO BANK, N.A.;  
15 CAL-WESTERN RECONVEYANCE  
16 CORPORATION; and  
17 DOES 1 through 100, inclusive,

18 Defendants.

Case No: C 13-01756 SBA

**ORDER STRIKING OVERSIZED  
BRIEF**

19 This Court's Standing Orders specify that the maximum page limit for motions and  
20 oppositions thereto is fifteen pages. Dkt. 7 at 2. The Standing Orders further provide that:

21 All parties shall meet and confer before filing any motion  
22 before the Court. The motion and any other non-stipulated  
23 request shall include a certification, which may be included in  
24 the body of the document, that the parties have complied with  
25 the meet and confer requirement. The Court may disregard any  
26 papers submitted that do not comply with this rule.

27 Id. (emphasis added).

28 On June 6, 2013, Defendant Wells Fargo Bank, N.A. ("Wells Fargo"), filed a  
twenty-page motion to dismiss, without seeking or obtaining leave of court to file an  
oversized motion. Dkt. 10. In addition, the motion lacks the requisite certification that  
Wells Fargo met and conferred with Plaintiffs prior to filing its motion. Given Wells

1 Fargo's violation of the Court's Standing Orders, the Court strikes Wells Fargo's improper  
2 motion from the record. See Swanson v. U.S. Forest Serv., 87 F.3d 339, 345 (9th Cir.  
3 1996) (courts have discretion to strike oversized briefs). Accordingly,

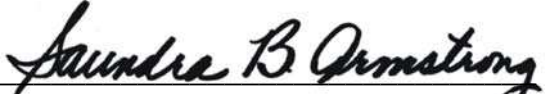
4 IT IS HEREBY ORDERED THAT:

5 1. Well Fargo's motion to dismiss (Dkt. 10) shall be STRICKEN from the  
6 record. Wells Fargo shall have until June 18, 2013 to refile its motion to dismiss in  
7 conformity with the Court's Standing Orders.

8 2. In light of Plaintiffs' filing of an amended complaint, Wells Fargo's first  
9 motion to dismiss (Dkt. 8) filed on May 9, 2013 is DENIED AS MOOT.

10 IT IS SO ORDERED.

11 Dated: June 11, 2013

  
SAUNDRA BROWN ARMSTRONG  
United States District Judge