

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

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

BABAK HATAMIAN, et al.,

Plaintiffs,

v.

ADVANCED MICRO DEVICES, INC., et al.,

Defendants.

Case No.: 14-cv-00226 YGR

**ORDER STRIKING PLAINTIFFS' REPLY BRIEF
IN SUPPORT OF CLASS CERTIFICATION**

Re: Dkt. No. 164

On December 7, 2015, Plaintiffs filed a Reply in Support of Motion for Class Certification. (Dkt. No. 164, "Reply.") The Court finds Plaintiffs' use of footnotes therein to be an obvious attempt to circumvent the Local Civil Rules' limitation that a reply brief may not exceed fifteen pages of text. *See* Civ. L. R. 7.3(c); Civ. L. R. 3-4(c)(2) (written text must be double-spaced with no more than twenty-eight lines per page).

Every page of the Reply contains between two and ten footnotes. Indeed, Plaintiffs congest a single page with twenty-seven lines of single-spaced text – in addition to twelve double-spaced lines of text in the body. (Reply at 5.) Far from constituting merely a "footnote," defined as an "aside, caveat, or afterthought," every one of Plaintiffs' seventy-four footnotes improperly includes a legal citation, a citation to the evidentiary record, and/or legal argument. *Footnote*, BLACKS LAW DICTIONARY (10th ed. 2009). The Court will not allow Plaintiffs to place all citations to textual matter in footnotes, in flagrant disregard of the Civil Local Rules and standard practice in this District. *See* THE BLUEBOOK: A UNIFORM SYSTEM OF CITATION R. B1.1, at 3 (Columbia Law Review Ass'n et al. eds., 20th ed. 2015).

Unlike Plaintiffs, the Court will not bloviate. The Court **STRIKES** Plaintiff's Reply in Support of Motion for Class Certification and **ORDERS** Plaintiffs to file a reply that complies with the Civil

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Local Rules by **December 14, 2015 at noon**. As a sanction for Plaintiffs' unprofessional conduct and the resulting waste of the Court's resources, the new reply may not contain any footnotes and must not exceed fifteen pages inclusive of the signature page.

Plaintiffs should not perceive this Order to encroach upon their advocacy. Rather, brevity more often persuades.

IT IS SO ORDERED.

Dated: December 8, 2015


YVONNE GONZALEZ ROGERS
UNITED STATES DISTRICT COURT JUDGE