United States District Court
For the Northern District of California

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

RAMON OBAS, Plaintiff, v. COUNTY OF MONTEREY; CONAN HICKEY; BRYAN HOSKINS; and DOES 1-50, inclusive, Defendants.	Case No.: 09-CV-05540-LHK ORDER GRANTING LEAVE TO FILE A SUR-REPLY

On January 18, 2011, Plaintiff Ramon Obas filed objections to new evidence presented by Defendants in their reply brief filed in support of their motion for summary judgment. Plaintiff requested that the Court either ignore the new evidence as untimely filed or provide Plaintiff an opportunity to file a sur-reply addressing the new evidence. Also on January 18, 2011, Defendants filed a statement indicating that they do not oppose Plaintiff's filing a sur-reply and suggesting that this would be preferable to striking the new evidence, which might necessitate the filing of a second motion for summary judgment. Accordingly, the Court GRANTS Plaintiff leave to file a sur-reply to address the new evidence submitted by Defendants. The sur-reply must be filed by Friday, January 21, 2011, and may not exceed 10 pages of briefing.

IT IS SO ORDERED.

Dated: January 19, 2011

Lucy H. Koh

LUCY H. KOH
United States District Judge

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