

United States District Court
Northern District of California

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ADIL K HIRAMANEK, et al.,
Plaintiffs,
v.
L MICHAEL CLARK, et al.,
Defendants.

Case No. [13-cv-00228-RMW](#)

**ORDER DENYING MOTION TO
STRIKE ANSWER OF DEFENDANT
SUPERIOR COURT OF CALIFORNIA,
COUNTY OF SANTA CLARA**

Re: Dkt. No. 181

Plaintiffs move to strike the amended answer filed by defendant Superior Court of California, County of Santa Clara. Dkt. No. 181 (Motion to strike); Dkt. No. 178 (Answer). The Answer includes 13 affirmative defenses. Plaintiffs' claim against the Superior Court is limited to the same ADA and Rehabilitation Act claim that Judge Chen found survived a motion to dismiss, the only difference being that in the currently operative complaint Adil has also alleged ADA violations. See Dkt. No. 163 (Order on motion to strike). This is the second motion to strike the Superior Court's answers. See Dkt. No. 109 (first motion to strike). The court already ruled that the Superior Court's first, second, third, and thirteenth affirmative defenses (previously the sixth, twenty-third, thirty-first, and thirty-fourth affirmative defenses) were sufficiently pled. Plaintiffs' further arguments on those defenses are not persuasive. The court previously struck the nine other

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affirmative defenses without prejudice. Defendant has now added sufficient factual detail to the defenses to meet the Twombly and Iqbal¹ standard. Accordingly, the motion to strike is DENIED.

IT IS SO ORDERED.

Dated: February 18, 2015



Ronald M. Whyte
United States District Judge

¹ Bell Atlantic Corp. v. Twombly, 550 U.S. 544 (2007); Ashcroft v. Iqbal, 556 U.S. 662 (2009).