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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

FIELD FRESH FARMS, LLC, et al.,
Plaintiffs,
v.
UNITED SECURITY BANK, et al.,
Defendants.

Case No. [13-cv-03833-BLF](#)

**ORDER STRIKING PAGES AND
BRIEFS; INSTRUCTIONS TO BOTH
PARTIES**

[Re: ECF 72, 148]

On September 30, 2014, Plaintiffs Field Fresh Farms, LLC and MKM Farms, Inc. filed a “Motion for Summary Judgment or Summary Adjudication Against United Security Bank.” ECF 72. Plaintiffs’ summary judgment motion violates the Civil Local Rules of this district and the standing orders of this Court in several ways, as it exceeds the 25 pages in length, does not include a table of contents or table of authorities, and is not accompanied by a separate statement. *See* Civ. L.R. 3-4, 7-4; Standing Order re Civil Cases (rev. July 23, 2014). As such, the Court STRIKES the last 10 pages of Plaintiffs’ summary judgment brief, preserving the signature. Plaintiffs are HEREBY ORDERED to file a table of contents, table of authorities, and separate statement for their opening summary judgment brief **on or before** October 27, 2014. Plaintiffs may also choose to file an amended replacement brief that complies with all of the page limits and formatting requirements set forth in the applicable local rules and standing orders on or before October 27, 2014.¹ Should Plaintiffs choose to file an amended brief, it shall not contain any new argument. Failure to comply with this order, or with the applicable local rules and standing

¹ E.g., 25 pages maximum, 28 lines per page, 12-point type for all text including footnotes. *See* Civ. L.R. 3-4(c).

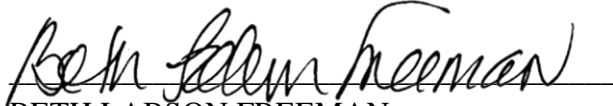
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orders, may result in summary denial of Plaintiffs’ motion in total.²

On October 21, 2014, Defendant United Security Bank filed a “Response/Reply to Plaintiffs’ Cross Motion for Summary Judgment” with a separate, 4-page objection to Plaintiffs’ evidence. ECF 148. Civil Local Rule 7-3 provides that “any evidentiary and procedural objections” to the motion or opposition “must be contained within the reply brief or memorandum.” *See also* Standing Order re Civil Cases (rev. July 23, 2014) at 7. Defendant’s Response/Reply is accordingly STRICKEN, and Defendants shall file an amended brief **on or before** October 27, 2014 that complies with the local rules.

IT IS SO ORDERED.

Dated: October 21, 2014


BETH LABSON FREEMAN
United States District Judge

² Plaintiffs are further advised to consult this district’s instructions and tutorials on electronic filing, available at <https://ecf.cand.uscourts.gov/cand/tutor/current/>.