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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION**

MARLESSA KNOLES,

Plaintiff,

v.

TEVA PHARMACEUTICALS USA, INC.,
et al.,

Defendants.

Case No. 17-cv-06580-BLF

**ORDER DENYING MOTION TO
STRIKE PLAINTIFF'S UNTIMELY
OPPOSITION; AND VACATING
HEARING ON MOTION TO STRIKE**

[Re: ECF 55]

Defendants' motion to strike Plaintiff's untimely opposition to Defendants' motion for judgment on the pleadings is DENIED, and the January 16, 2019 hearing on the motion to strike is VACATED. The Court accepts Plaintiff's representation that the late filing of the opposition, approximately two weeks after its due date, was due to a technical problem. Defendants have not demonstrated prejudice from the late filing. Defendants' motion to strike contains substantive arguments addressing Plaintiff's late-filed opposition and it is accepted by the Court as Defendants' reply on their motion for judgment on the pleadings.

The January 16, 2019 hearing on Defendants' motion for judgment on the pleadings REMAINS on calendar.

IT IS SO ORDERED.

Dated: January 11, 2019



BETH LABSON FREEMAN
United States District Judge