

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  
SOUTHERN DISTRICT OF CALIFORNIA**

JOHN J. DURANT,

Plaintiff,

CASE NO. 17cv145-LAB (NLS)

vs.

**ORDER STRIKING MOTION [Dkt. 9]**

BASILE, INC.,

Defendant.

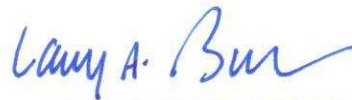
John Durant filed a motion to strike Basile's answer but failed to obtain a hearing date. Civil Local Rules 7.1. The Court orders the motion stricken and directs the clerk to remove the motion from the docket. Civ. L. R. 83.1(a); *Kashin v. Kent*, 2007 WL 1975435, at \*1 (S.D. Cal. Apr. 26, 2007), *aff'd*, 342 F. App'x 341 (9th Cir. 2009) ("The requirement that a party obtain a hearing date from the judge's clerk is no empty formality; it is a rule of substantial importance.").

Durant may refile the motion after his attorney obtains a hearing date. Calling Chambers to obtain a hearing date is the only reason either side should contact Chambers ex parte. Standing Order § 14. The Court directs both sides to review the Local Rules and Judge Burns's Standing Order.

**IT IS SO ORDERED.**

DATED:

5.2.17



**HONORABLE LARRY ALAN BURNS**  
United States District Judge