

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Magistrate Judge Boyd N. Boland

Civil Action No. 07-cv-02584-REB-BNB

ABEER FARAGALLA

Plaintiff,

v.

DOUGLAS COUNTY SCHOOL DISTRICT RE1 “DCSD,”
CEREBRAL PALSY OF COLORADO “CP,”
DOUGLAS COUNTY EDUCATION FOUNDATION, and
DOUGLAS COUNTY SCHOOL DISTRICT BOARD OF EDUCATION “BOE,”

Defendants.

ORDER

This matter arises in connection with **Plaintiff’s Revised Response to DCSD’s Summary Judgment Motion** [Doc. #218, filed 03/23/2009] (the “Revised Response”). The Revised Response is STRICKEN.

On February 24, 2009, I struck the plaintiff’s initial response to the summary judgment motion filed by defendant Douglas County School District RE1 (“DCSD”). *Order* [Doc. #183, issued 02/24/2009]. The initial response was typed in a small font, and most of the pages were single-spaced. I informed the plaintiff that “[a]ll type-written papers filed in this Court must be double-spaced, D.C.COLO.LCivR 10.1E, and must utilize not less than a 12-point font. D.C.COLO.LCivR 10.1D.” In addition, I found that the affidavit attached to the initial response was tedious and prolix; it was filled with superfluous details and commentary; and it did not set forth specific admissible facts. I ordered the plaintiff to submit a revised response to DCSD’s motion that did “not exceed 20 type-written pages, all of which must be double spaced, utilizing

a font not less than 12-point.” I also stated that if an affidavit was submitted with the renewed response, it “may not exceed ten pages in length and shall be submitted in a 12-point font.”

On March 23, 2009, the plaintiff filed her Revised Response. The Revised Response fails to comply with my Order dated February 24, 2009. It is 32 pages in length, and it contains many footnotes which are not in a 12-point font. It also contains an affidavit which is not double-spaced. Accordingly,

IT IS ORDERED that the Revised Response is STRICKEN.

IT IS FURTHER ORDERED that on or before **April 10, 2009**, the plaintiff shall submit a second revised response which complies with this Order and my Order of February 24, 2009.

IT IS FURTHER ORDERED that failure to submit a second revised response which complies with my Order dated February 24, 2009, may result in sanctions, including dismissal of this case.

Dated March 30, 2009.

BY THE COURT:

s/ Boyd N. Boland
United States Magistrate Judge