

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 09-cv-01496-MSK-MEH

WATERSHED LLC, a Republic of Seychelles limited liability company,

Plaintiff,

v.

COLUMBUS LIFE INSURANCE COMPANY, an Ohio corporation,

Defendant.

MINUTE ORDER

Entered by Michael E. Hegarty, United States Magistrate Judge, on August 9, 2011.

Before the Court is Defendant's Motion for Leave to File Supplemental [Reply] Brief [filed March 3, 2011; docket #115]. Plaintiff opposes the motion as inappropriate since permission for Plaintiff to file a supplementary response brief was arguably granted as a disciplinary sanction. However, the Court finds, in the interest of justice, that Defendant should be permitted to file a reply brief addressing Plaintiff's supplemental response.

The Court notes that, although Defendant likened this circumstance to a request to file a surreply, the Defendant wholly failed to attach a proposed brief as is typically required when seeking permission to file a "surreply." The Court would have discretion to deny the motion without prejudice on this point alone; however, it has been more than five months since the Defendant filed the present motion. In the interests of timeliness and efficiency, the Court will allow the Defendant to file a supplemental reply brief under certain time and scope limitations.

The motion is **granted in part and denied in part** as follows. On or before August 16, 2011, the Defendant may file a supplemental reply brief responding only to those issues raised in Plaintiff's supplemental response brief. The Defendant's brief may not exceed ten pages in length.