

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

Civil Action No. 11-cv-03242-PAB-BNB

MICHELLE GARRETT, and
RICHARD L. GARRETT,

Plaintiffs,

v.

BNC MORTGAGE, INC.,
U.S. BANK, N.A., as Trustee for the Structured Asset Investment Loan Trust 2006-BNC3, and
WELLS FARGO HOME MORTGAGE, INC., owner of America's Servicing Company,

Defendants.

ORDER

This matter arises on defendants U.S. Bank, N.A., and Wells Fargo Home Mortgage, Inc.'s **Motion to Strike Notice by Interested Party Deborah Alex-Saunders** [Doc. #115, filed 05/27/2014] (the "Motion"). The Motion is GRANTED.

On August 26, 2014, the district judge granted defendants U.S. Bank, N.A., and Wells Fargo Home Mortgage, Inc.'s motion for summary judgment, and he administratively closed the case. On May 7, 2014, the plaintiffs' proffered expert, Deborah Alex-Saunders, filed a paper [Doc. #113] which is largely incomprehensible but appears to seek dismissal of a claim or claims as barred by the doctrines of *res judicata* or collateral estoppel. Ms. Alex-Saunders is not a party to this action and cannot move for dismissal of all or part of the action.

Moreover, Ms. Alex-Saunders' paper contains immaterial and impertinent statements directed at the defendants. The Federal Rules of Civil Procedure allow the Court, on its own initiative at any time, to strike any immaterial or impertinent matter. Fed. R. Civ. P. 12(f).

Further, under the Local Rules, a verbose, redundant, ungrammatical, or unintelligible motion may be stricken, and its filing may be grounds for imposing sanctions. D.C.COLO.LCivR 7.1(i).

IT IS ORDERED:

- (1) The defendants' Motion [Doc. # 115] is GRANTED; and
- (2) The paper filed by Deborah Alex-Saunders [Doc. #113] is STRICKEN.

Dated October 9, 2014.

BY THE COURT:

s/ Boyd N. Boland
United States Magistrate Judge