

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 12-cv-00801-PAB-KLM

PAULA STANTON, a Colorado resident, and
PATRICK STANTON, a Colorado resident,

Plaintiffs,

v.

ENCOMPASS INDEMNITY COMPANY, a foreign corporation,

Defendant.

MINUTE ORDER

ENTERED BY MAGISTRATE JUDGE KRISTEN L. MIX

This matter is before the Court on Defendant's **Motion to Strike Plaintiffs' Reply to Defendant Encompass Indemnity Company's Opposition to Plaintiffs' Amended Motion for Leave to Amend Complaint** [Docket No. 64; Filed February 6, 2013] (the "Motion"). On February 19, 2013, Plaintiffs filed a Response [#67]. On March 8, 2013, Defendant filed a Reply [#69]. In the Motion, Defendant seeks to strike Plaintiffs' Reply [#63] to Defendant's Response [#59] to Plaintiffs' Motion to Amend the Complaint [#53] because it assertedly raises new facts and new arguments.

IT IS HEREBY **ORDERED** that the Motion [#64] is **DENIED in part and GRANTED in part**. The Motion is **denied** to the extent Defendant seeks to strike Plaintiff's Reply [#63]. The Motion is **granted** to the extent Defendant seeks leave to file a Surreply. Accordingly,

IT IS FURTHER **ORDERED** that Defendant may file a Surreply **of no more than five pages** to Plaintiff's Reply [#63] **on or before May 2, 2013**.

Dated: April 18, 2013