

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Judge Robert E. Blackburn**

Civil Action No. 13-cv-00505-REB-KLM

DIEBOLD ENTERPRISES SECURITY SYSTEMS, INC., a New York corporation,

Plaintiff,

v.

LOW VOLTAGE WIRING, LTD, a Colorado corporation d/b/a LVW Electronics, Inc.,

Defendant.

MINUTE ORDER¹

The matter is before the court on **Plaintiff Diebold Enterprises Security Systems, Inc.'s Motion To Strike Newly-Raised Arguments Contained in Defendant's Reply in Support of its Motion For Summary Judgment (ECF No. 43), or, in The Alternative, Motion For Leave To File a Surreply To The Same [#51]** filed July 26, 2013. After reviewing the motion and the record, the court has concluded that the motion should be granted to the extent that plaintiff shall be permitted to file a surreply.

THEREFORE, IT IS ORDERED as follows:

1. That **Plaintiff Diebold Enterprises Security Systems, Inc.'s Motion To Strike Newly-Raised Arguments Contained in Defendant's Reply in Support of its Motion For Summary Judgment (ECF No. 43), or, in The Alternative, Motion For Leave To File a Surreply To The Same [#51]** filed July 26, 2013, is **GRANTED** in part; and

2. That **Plaintiff Diebold Enterprises Security Systems, Inc.'s Surreply To Newly-Raised Arguments Contained in Defendant's Reply in Support of its Motion For Summary Judgment (ECF No. 43) [#51-1]** is **ACCEPTED** for filing.

Dated: July 29, 2013

¹ This minute order is issued pursuant to the express authority of the Honorable Robert E. Blackburn, United States District Judge for the District of Colorado.