

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
ORLANDO DIVISION

LINCOLN BENEFIT LIFE COMPANY,

Plaintiff,

v.

Case No: 6:16-cv-538-Orl-40TBS

ADRIENNE LAFRANCE, NELDA  
LAFRANCE, CAROLE JEAN FRANCOIS  
and ATILIA LERISSON MASSE,

Defendants.

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**ORDER**

This case comes before the Court without oral argument on Cross-Defendant Carole Jean Francois' Motion to Strike Cross-Claimants' Reply to Carole Jean Francois' Response to Motion for Summary Judgment (Doc. 96). The Court sees no reason to await the filing of responses before ruling on the motion.

On June 1, 2017, Defendants Adrienne LaFrance and Nelda LaFrance filed a motion for summary judgment (Doc. 89). Carole Jean Francois filed a timely response in opposition to the motion (Doc. 91). Fourteen days later, Adrienne LaFrance and Nelda LaFrance submitted their reply to Carole Jean Francois' response (Doc. 95). Now, Carole Jean Francois argues that the reply should be stricken because it was filed without leave of Court in violation of Local Rule 3.01(c) which states that: "No party shall file any reply or further memorandum directed to the motion or response allowed in (a) and (b) unless the Court grants leave."

Carole Jean Francois' motion is **DENIED** because it fails to comply with Local Rule 3.01(g).

The motion is also **DENIED** because the Case Management and Scheduling Order which governs this case provides that when a motion for summary judgment is filed:

The Court will accept a ten (10) page reply without leave of Court. The reply shall be limited to addressing issues raised by the opposing party that have not already been addressed in the motion. The reply shall be filed within **fourteen (14) days** after the response is served.

(Doc. 42 at 8).

**DONE and ORDERED** in Orlando, Florida on July 6, 2017.



THOMAS B. SMITH  
United States Magistrate Judge

Copies furnished to:

Counsel of Record  
Unrepresented Parties