

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF FLORIDA  
GAINESVILLE DIVISION

AMERICAN CIVIL LIBERTIES UNION OF FLORIDA INC,

Plaintiff,

v.

CASE NO. 1:07-cv-00018-MP-AK

DIXIE COUNTY FLORIDA,

Defendant.

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**ORDER**

This matter is before the Court on Doc. 121, Motion for Leave to File, by American Civil Liberties Union of Florida Inc., regarding Doc. 120, Response in Opposition to Motion For Summary Judgment. In its response, Defendant adds nine deposition transcripts to the record, and asks the Court grant summary judgment in Defendant's favor. Plaintiff has requested to reply to these new facts and assertions, and to argue orally its case. Defendant objects to these requests.

Defendant's request for affirmative relief in its response constitutes "good cause" under Local Rule 7.1(C)(2) for granting leave to reply. *See Carter v. Blue Cross and Blue Shield of Fla., Inc.*, 61 F. Supp.2d 1241, 1243 (N.D. Fla. 1999) (good cause for reply shown when Plaintiff's response to Defendant's motion for judgment on the pleadings requested opportunity to amend complaint). Plaintiff requests ten days from the date the Court rules on the instant motion to file its reply, if leave is granted. It is. Accordingly, it is

**ORDERED AND ADJUDGED:**

1. The Motion for Leave to File, Doc. 121, is GRANTED.

2. Plaintiff will have ten (10) days from the posting of this order to file its reply to the Response in Opposition to Motion for Summary Judgment, Doc. 120.
3. Oral argument is GRANTED, with each side having 30 minutes to argue its position. The Clerk will schedule oral argument by separate notice.

**DONE AND ORDERED** this 20th day of November, 2009

*s/Maurice M. Paul*

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Maurice M. Paul, Senior District Judge