

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
CASE NO. 11-24142-CIV-SEITZ/SIMONTON

FIVE FOR ENTERTAINMENT S.A., *et al.*,

Plaintiffs,

vs.

RAMON LUIS AYALA RODRIGUEZ, *et al.*,

Defendants.

**ORDER DENYING MOTION TO STRIKE THE PLAINTIFFS' STATEMENT OF
FACTS**

This matter is before the Court on Defendants' Motion to Strike the Plaintiffs' Statement of Facts [DE-153], in which Defendants seek to strike Plaintiffs' Statement of Material Facts Not in Dispute Pursuant to Local Rule 56.1 [DE-138], submitted in support of Plaintiffs' Motion for Summary Judgment. Defendants argue various paragraphs in Plaintiffs' Statement of Material Facts contain argumentative statements, conclusory statements, statements that rely on hearsay, and compound statements. The motion also seeks to strike all unauthenticated documents Plaintiffs submitted to support their motion for summary judgment.


The parties have fully briefed this issue, having filed more than forty pages of briefing. First, the Court notes that such motions are not in keeping with Federal Rule of Civil Procedure 1, which states that the purpose of the Rules is the "just, speedy, and inexpensive determination of every action and proceeding." Second, when reviewing the parties' papers relating to summary judgment, including the Statement of Material Facts, the Court is capable of determining which statements in Plaintiffs' Statement of Material Facts are supported by the record, which are purely argumentative, and which are unsupported conclusions. The Court is

also capable of determining which statements are supported by inadmissible evidence.

Accordingly, it is

ORDERED that Defendants' Motion to Strike the Plaintiffs' Statement of Facts [DE-153] is DENIED.

DONE and ORDERED in Miami, Florida, this 15th day of July, 2013.



PATRICIA A. SEITZ
UNITED STATES DISTRICT JUDGE

cc: All Counsel of Record