

**IN THE UNITED STATES DISTRICT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

MEANITH HUON,)	
)	
	Plaintiff,	
v.)	CIVIL ACTION NO.: 1: 11-cv-3054
)	
)	
David Lat, et. al.)	
)	
	Defendants	
)	

MEANITH HUON’S RESPONSE TO DEFENDANTS’ JOINT MOTION TO STRIKE

Plaintiff, Meanith Huon, states as follows:

1. The Court gave Plaintiff, Meanith Huon, leave to file two separate briefs not to exceed 30 pages.
2. Mr. Huon’s Response brief to the Above the Law Defendants motion is 30 pages, excluding the table of contents and table of authorities. The 30 pages include the certificate of service.
3. Mr. Huon’s Response brief to the Gawker Defendants motion is 29 pages, excluding the table of contents and table of authorities.
4. District Courts have issued page limitations for briefs, excluding the table of contents and table of authorities as part of the page number count. Griffin v. Dolgencorp, Inc., 2010 U.S. Dist. LEXIS 127147, 5-6 (S.D. Ill. Dec. 2, 2010) (“not to exceed 30 pages (exclusive of cover pages, tables of content, tables of authority, certificates of service, signature blocks, and exhibits”); Conley v. Otzeiberger, 2011 U.S. Dist. LEXIS 40847 (E.D. Wis. Apr. 13, 2011) (any motion must not exceed 30 pages and reply briefs must not exceed 15 pages (excluding any caption, cover page, table of contents, table of authorities, and signature block, citing Local Rule

7.1); Boliaux v. Manheim Auto. Fin. Servs., 2011 U.S. Dist. LEXIS 41056 (N.D. Ill. Apr. 14, 2011) (principal briefs shall not exceed 50 pages, and reply briefs shall not exceed 25 pages, exclusive of pages containing the table of contents, tables of citations and any addendum containing statutes, rules, regulations, or similar material); Goltz v. University of Notre Dame Du Lac, 177 F.R.D. 638, 640 (N.D. Ind. 1997) (Rule 7.1(b) of the Northern District of Indiana specifically states: except by permission of the court, no brief shall exceed 25 pages in length, exclusive of any pages containing a table of contents, table of authorities and appendices.

5. In Ingersoll Cutting Tool Co. v. Iowa Midland Supply, Inc., plaintiff filed a memorandum in support of that was 25 pages long. Local Rule 7.1 requires that a brief in excess of 15 pages have a table of contents with the pages noted and a table of cases. Plaintiff's memorandum did not have a table of contents or a table of cases. Despite plaintiff's violation of Rule 7.1, the court granted plaintiff to file a brief in excess of 15 pages. 2010 U.S. Dist. LEXIS 50243 (N.D. Ill. May 19, 2010).

6. In this case, Plaintiff, Meanith Huon, did not intend to violate the Court's order of a 30 page limitation. Mr. Huon interpreted the 30 page limitation to exclude the table of contents and authorities. The table of contents and authorities exceeding the 29 or 30 pages were not intentional and not intended to show a lack of respect for this Honorable Court.

7. The pages above the 29 or 30 page brief are the table of contents and table of authorities.

8. On January 7, 2013, the Gawker Defendants filed its Memorandum, removed it after disclosing Mr. Huon's personal information *again*, and refilled a Replacement Memorandum on January 30, 2013. (Docket Nos. 175 and 191.) Mr. Huon did not complain

about the delay.¹

9. Had the Gawker Defendants and the Above the Law Defendants disclosed their affiliates as required under FRCP 7.1 and Local Rule 3.2, the complete diversity citizenship would have been established. As explained in Mr. Huon's Response brief, the Gawker Defendants' 7.1 Disclosures are not logical and rebutted by the Secretary of State documents.²

10. The length of the brief is caused by the Defendants attempting to argue questions of fact on a FRCP 12(b)(6) Motion to Dismiss and without the benefit of discovery. Defendants filed their Memorandums, Motions, Exhibits, Charts, raising a kitchen sink of defenses at the pleading stage. Defendants are represented by a combined three sets of law firms. Mr. Huon is *pro se*.

11. If the Defendants were sincere about bringing a speedy resolution to this case, Defendants would have answered the complaint in Federal Court, which requires notice pleading, and proceed to discovery and trial. Mr. Huon's civil lawsuit against the detectives and prosecutors in Madison County, No. 3:12-cv-00166-MJR, is set for a firm trial date on September 3, 2013. The attorneys for the Madison County Defendants in Mr. Huon's civil case—who would know more about the facts of the original proceedings than the Defendants' counsel in this case—have never resorted to attacking Mr. Huon personally or arguing over page limitations. They have been extremely courteous and professional.

12. Instead, Defendants and its attorneys engage in name-calling and hyperbole and in focusing on matters not connected to the litigation instead of trying to focus on the legal

¹ The Above the Law Defendants did something similar. It filed Exhibit "B" disclosing the complainant's name and home town, removed Exhibit "B", but did not promptly file redacted Exhibit "B". Docket Nos. 49, 77, and 78. Mr. Huon did not complain about the delay.

² Defendants' 7.1 Disclosure states that "Gawker Media Group Inc is the only member of Gawker Media LLC" and that "The parent company of GAWKER MEDIA LLC is GAWKER MEDIA GROUP INC." These statements contradict each other. A member of an LLC cannot be its parent company.

arguments.

WHEREFORE, Plaintiff, Meanith Huon, requests that this Honorable Court enter an

Order:

1. Denying Defendants' Motion to Strike.
2. Alternatively, grant Plaintiff the additional pages for his table of contents and table of authorities.

Respectfully Submitted,

By: /s/ Meanith Huon /s/
Meanith Huon

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**IN THE UNITED STATES DISTRICT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

MEANITH HUON,)	
)	
Plaintiff,)	
v.)	CIVIL ACTION NO. 11-3050
)	
)	JURY TRIAL DEMANDED
)	
FORMER MADISON COUNTY STATE'S)	
ATTORNEY WILLIAM MUDGE, et. al.)	

CERTIFICATE OF SERVICE

Under penalties of law, I attest the following documents or items have been or are being electronically served on all counsel of record for all parties on March 18, 2013:

MEANITH HUON'S RESPONSE TO DEFENDANTS' JOINT MOTION TO STRIKE

Respectfully submitted,
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