

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

LILIYA TURUBCHUK, et al,

Plaintiff,

vs.

E.T. SIMONDS CONSTRUCTION
COMPANY, et al,

Defendant.

Case No. 12-cv-594-SMY-SCW

MEMORANDUM AND ORDER

This matter comes before the Court on Plaintiffs' Motion to Strike Defendant E. T. Simonds Construction Company's Motion for Summary Judgment (Doc. 109). For the following reasons, the Court grants Plaintiffs' motion.

On January 21, 2015, Defendant E. T. Simonds Construction Company (hereinafter "Simonds") filed its Motion for Summary Judgment and Memorandum of Law in Support as a single, combined document (Doc. 105). The page length of the document is 53 pages. Plaintiffs' filed their Motion to Strike (Doc. 109), arguing that the document is in violation of local rule 7.1. Defendant Simonds responds that rule 7.1 only addressed the length of briefs, not motions, so the combined document is not governed by the rule.

While it is true that rule 7.1 does not explicitly place a page limit on a document that purports to combine a motion and a brief in support of the same, it does not follow that parties may evade the page limits by simply choosing to combine the documents. In fact, such attempts to get around rules on pleadings have been disfavored. See, e.g., *Fields v. Illinois Dep't of Corr.*, 2006 WL 1457704, at *2 (S.D. Ill. May 24, 2006) (Noting that "plaintiffs have done an end-run

around Local Rule 7.1(c)'s twenty-page limit on briefs by printing their briefs in small type” and ordering that all further pleadings be submitted in 12 point, double-spaced text).

Accordingly, the Court GRANTS Plaintiff’s Motion to Strike (Doc. 109) and DIRECTS the Clerk of Court to Strike Defendant Simonds’s Motion for Summary Judgment (Doc. 105). Defendant Simonds is granted leave to file an Amended Motion and Memorandum in Support as two separate documents that comply with all applicable local rules within seven (7) days of this order.

IT IS SO ORDERED.

DATED: February 3, 2015

/s/ Staci M. Yandle
STACI M. YANDLE
DISTRICT JUDGE