

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
INDIANAPOLIS DIVISION

7E FIT SPA LICENSING GROUP LLC, )  
7E HOLDINGS 1 LLC, )  
7E LLC, )

Plaintiffs, )

vs. )

SUSAN DIER, )  
7EFS OF WHEATRIDGE LLC, )  
SPECTRUM MEDSPA, )

Defendants. )

1:15-cv-01111-RLY-MPB

---

SUSAN DIER GRAF, )  
7EFS OF WHEATRIDGE LLC, )  
SUSAN DIER GRAF, )  
7EFS OF WHEATRIDGE LLC, )  
FULL BODY SHOP, )  
SPECTRUM MEDSPA, )  
7EFS OF WHEATRIDGE LLC, )  
SUSAN DIER, )

Counter Claimants, )

vs. )

7E FIT SPA LICENSING GROUP LLC, )  
7E HOLDINGS 1 LLC, )  
7E LLC, )  
7E FIT SPA LICENSING GROUP LLC, )  
7E HOLDINGS 1 LLC, )  
7E LLC, )

Counter Defendants. )

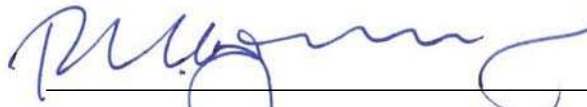
SUSAN DIER GRAF,	)
7EFS OF WHEATRIDGE LLC doing business	)
as MEDSPA,	)
SUSAN DIER GRAF,	)
7EFS OF WHEATRIDGE LLC,	)
FULL BODY SHOP,	)
SPECTRUM MEDSPA,	)
7EFS OF WHEATRIDGE LLC,	)
SUSAN DIER,	)
	)
Third Party Plaintiffs,	)
	)
vs.	)
	)
STEVE NIELSEN,	)
STEVE NIELSEN,	)
	)
Third Party Defendants.	)

**ORDER ON COUNTERCLAIM/THIRD PARTY DEFENDANTS’ MOTION TO STRIKE**

Counterclaim/Third Party Defendants move to strike portions of Counterclaim/Third Party Plaintiffs’ reply brief in support of their Motion for Leave to File Surreply pursuant to Federal Rule of Civil Procedure 12(f). Specifically, they seek to strike any statement claiming that Indiana is the Licensee’s principal place of business. They contend that it is a false statement. Even assuming that this is accurate, Rule 12(f) does not authorize the court to strike a brief for this reason. *See* Fed. R. Civ. P. 12(f) (“The court may strike from a pleading an insufficient defense or any redundant, immaterial, impertinent, or scandalous matter.”).

Therefore, Counterclaim/Third Party Defendants' Motion to Strike (Filing No. 53)  
is **DENIED**.

**SO ORDERED** this 27th day of June 2016.

A handwritten signature in blue ink, appearing to read 'R. Young', written over a horizontal line.

RICHARD L. YOUNG, CHIEF JUDGE  
United States District Court  
Southern District of Indiana

Distributed Electronically to Registered Counsel of Record.