

UNITED STATES DISTRICT COURT
EASTERN DIVISION OF KENTUCKY
CENTRAL DIVISION at LEXINGTON

PAULA B. BROWN,)
)
Plaintiff,)
)
v.)
)
LEXINGTON-FAYETTE URBAN)
COUNTY GOVERNMENT, et. al.,)
)
Defendants.)
)

Civil Case No.
5:08-cv-500-JMH

MEMORANDUM OPINION & ORDER

This matter is before the Court on Defendant's motion objecting to Plaintiff's notice of filing and motion to strike the notice of filing from the record. (D.E. 127). Plaintiff's notice of filing did not request any relief from this Court. Instead, Plaintiff simply sought to file additional documents to be considered along with his memorandum in support of his previous motion to amend, alter, or vacate this Court's Judgment. (D.E. 124). Therefore, Defendant's motion to strike Plaintiff's notice of filing from the record is unnecessary, and will be denied.

To the extent that Defendant fears that Plaintiff's filing will affect this Court's Memorandum Opinion and Order denying Plaintiff's motion to amend, alter, or vacate

this Court's Judgment (D.E. 125), the filing clearly fails to present a clear error of law, newly discovered evidence, an intervening change in controlling law, or manifest injustice. *GenCorp, Inc. v. American Intern. Underwriters*, 178 F.3d 804, 834 (6th Cir. 1999). Therefore, the Court's Memorandum Opinion and Order denying Plaintiff's motion to amend, alter or vacate this Court's Judgment (D.E. 125) remains unaffected.

Accordingly, **IT IS ORDERED** that Defendant's motion to strike Plaintiff's notice of filing (D.E. 127) is **DENIED**.

This the 12th day of December, 2012.



Signed By:

Joseph M. Hood *JMH*

Senior U.S. District Judge