

UNITED STATES DISTRICT COURT
DISTRICT OF MAINE

SHANA SANDLER,

Plaintiff

v.

MIA CALCAGNI *et al*,

Defendants

Case No. 1:07-cv-00029

**PLAINTIFF'S MOTION TO STRIKE DEFENDANTS RALPH AND MAUREEN
CALCAGNI'S MOTION FOR SUMMARY JUDGMENT
ON ALL CLAIMS OF SHANA SANDLER**

Plaintiff Shana Sandler moves to strike the Motion for Summary Judgment of Defendants Ralph and Maureen Calcagni on All Claims of Plaintiff Shana Sandler (Docket No. 126), filed by Defendants on April 14, 2008, on the grounds that it is untimely and does not comply with this Court's scheduling order.

On October 29, 2007 the Court established March 11, 2008 as the deadline for the parties to file all dispositive motions and memoranda.¹ (See Docket No. 63). Defendants Ralph and Maureen Calcagni did not file any dispositive motions by that date. However, 34 days later, Defendants filed their motion for summary judgment without prior leave of court and outside of the established deadlines. Defendants should not be permitted to file their motion for summary judgment beyond the deadline established by this Court for such motions.

¹ The Court subsequently extended Defendant Booksurge's deadline to file its dispositive motion to March 17, 2008 to allow the parties to confer about redactions. *See* Report of Telephone Conference and Order, March 12, 2008 (Docket No. 95). The Court did not extend or otherwise alter the deadlines for any other party to file dispositive motions.

CERTIFICATE OF SERVICE

I, Bernard J. Kubetz, hereby certify that on April 15, 2008 I electronically filed the foregoing Plaintiff's Motion to Strike Defendants Ralph and Maureen Calcagni's Motion for Summary Judgment on All Claims of Shana Sandler with the Clerk of the United States District Court using the CM/ECF system, which will send notification of such filing to the following:

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*/s/ Bernard J. Kubetz*_____

Bernard J. Kubetz