

**UNITED STATES DISTRICT COURT
DISTRICT OF MAINE**

STATE FARM FIRE & CASUALTY)	
COMPANY,)	
)	
Plaintiff,)	
)	Docket no. 2:16-cv-67-GZS
v.)	
)	
WASI HABIBZAI, et al.,)	
)	
)	
Defendants.)	

ORDER ON DEFENDANTS' MOTION TO RESUBMIT

Before the Court is Defendants' Unopposed Motion to Resubmit Missing Portions of Defendants' Record on Summary Judgment (ECF No. 58). The filing of this Motion prompted the Court to review all of the exhibits Defendants have placed on the docket in connection with their pending Motion for Summary Judgment (ECF No. 44). As a result of that review, the Court ORDERS that:

(1) the following docket entries shall be SEALED: ECF Nos. 33 & 34.

Based on the Court's review of these docket entries, the Court has determined that Defendants' Counsel failed to comply with Federal Rule of Civil Procedure 5.2.¹ Counsel is directed to file properly redacted versions of each of these docket entries along with a certification that he has read Rule 5.2 and understands his redaction

¹ While the Court expects counsel to review the entirety of these two docket entries before filing a properly redacted copy, Counsel is specifically directed to redact: (1) the social security numbers and minor names appearing on PageID # 236/Record 0079, (2) the date of birth appearing on PageID # 264/Record 0107, and (3) the social security numbers appearing on PageID # 276/Record 0119.

responsibility when making filings with this Court. These filing shall be made no later than April 14, 2017.

(2) the following exhibit must be filed in paper: Ex. 28 (PageID #s 879-956).²

Counsel is directed to file legible paper copies of the Exhibit 28 “Photographs” with the Clerk no later than April 14, 2017.

As requested in the Motion, the Court will accept Defendants’ belatedly filed Exhibits 29-39 (“Record 402-Record 482”/PageID # 957- PageID # 1040), which were placed on the docket on April 4, 2017, and consider them incorporated into the summary judgment record. Any redacted or paper copies of exhibits filed on or before April 14, 2017 will likewise be deemed incorporated into the summary judgment record.

As requested, the Court will also allow Plaintiff fourteen days to amend its Response to Defendants’ Statement of Material Facts. Plaintiff’s amended response shall be filed no later than April 20, 2017. Defendants shall file their reply within seven days of the filing of Plaintiff’s amended response.

As explained above, Defendants’ Unopposed Motion to Resubmit Missing Portions of Defendants’ Record on Summary Judgment (ECF No. 58) is GRANTED IN PART and DENIED IN PART.

SO ORDERED.

/s/ George Z. Singal
United States District Judge

Dated this 7th day of April, 2017.

² The Court notes that to the extent the Record Table of Contents (ECF No. 32-1/ECF No. 57) indicates that Exhibit 28 is Bates stamped “Record 384-Record 401,” the document apparently submitted as Exhibit 28 (ECF Nos. 54-2 & 55-1 at PageID #s 879-956) contains no such Bates stamp. (In fact, it includes two other “Habibzai” Bates stamps and multiple exhibit stickers.) The Court expects that the Exhibit 28 submitted to the Court in paper will be properly labeled and Bates stamped and that Defense Counsel will provide the same properly labeled and Bates stamped copy of Exhibit 28 to opposing counsel.