

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

STATION ENTERPRISES, INC.
d/b/a TREE TOWN TOYS
AND BRAIN STATION,
Plaintiff,

CIVIL ACTION NO. 07-CV-14294

DISTRICT JUDGE GEORGE CARAM STEEH

VS.

MAGISTRATE JUDGE MONA K. MAJZOUB

GANZ, INC., et al.

Defendants.

_____/

**ORDER STRIKING DEFENDANTS' MOTION TO STRIKE AND OPPOSITION TO
PLAINTIFF'S MOTION TO COMPEL (#52) AND REQUEST FOR SANCTIONS
(DOCKET NO. 55)**

This matter comes before the Court on Defendants' Motion To Strike And Opposition To Plaintiff's Motion To Compel (#52) And Request For Sanctions filed on January 28, 2009. (Docket no. 55). All pretrial discovery matters were referred to the undersigned for decision pursuant to 28 U.S.C. § 636(b)(1)(A). (Docket no. 14). The Electronic Filing Policies and Procedures of the Eastern District of Michigan, Rule 5(e) state that “. . . a response . . . to a motion must not be combined with a counter-motion. Papers filed in violation of this rule will be stricken.” E.D. Mich. LR ECF R5(e). The Court finds that Docket no. 55 is both a counter-motion and a response to Plaintiff's Motion to Compel. The Court will strike Docket no. 55, Defendants' Motion To Strike And Opposition To Plaintiff's Motion To Compel And Request For Sanctions.

IT IS ORDERED that Defendants' Motion To Strike And Opposition To Plaintiff's Motion To Compel (#52) And Request For Sanctions (**Docket no. 55**) is stricken from the record and this Order shall be put on the docket, and the docket edited to show that the document has been **STRICKEN** and deemed not a part of the record in this case.

NOTICE TO THE PARTIES

Pursuant to Fed. R. Civ. P. 72(a), the parties have a period of ten days from the date of this Order within which to file any written appeal to the District Judge as may be permissible under 28 U.S.C. § 636(b)(1).

Dated: February 3, 2009

s/ Mona K. Majzoub
MONA K. MAJZOUB
UNITED STATES MAGISTRATE JUDGE

PROOF OF SERVICE

I hereby certify that a copy of this Report and Recommendation was served upon Counsel of Record on this date.

Dated: February 3, 2009

s/ Lisa C. Bartlett
Courtroom Deputy