

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

BRENT MOHLMAN,

Plaintiff,

Civil Action No. 15-11085

Honorable Gerald E. Rosen

v.

Magistrate Judge Elizabeth A. Stafford

DEUTSCHE BANK NATIONAL
TRUST COMPANY, Trustee for
LONG BEACH MORTGAGE
LOAN TRUST 2006-1,

Defendant.

**ORDER STRIKING PLAINTIFF'S RESPONSE
TO DEFENDANT'S MOTION TO DISMISS [R. 13]**

On March 31, 2015, Defendant filed a motion to dismiss [R. 3], to which Plaintiff Brent Mohlman responded [R. 10]. The Honorable Gerald E. Rosen referred the motion to dismiss to this Court for report and recommendation pursuant to [28 U.S.C. § 636\(b\)\(1\)\(B\)](#). [R. 11].

On May 29, 2015, the Court entered an order striking Mohlman's response for failing to comply with the Local Rules of this District:

Mohlman's response to Defendant's motion to dismiss fails to comply with the ... requirements [of E.D. Mich. LR 5.1(a)(2) and (a)(3)]. The font size is noticeably too small; there are no page numbers; and it appears that it is less than double-spaced.

The Comment to E.D. Mich. LR 5.1 warns that "[a]ttempts to circumvent the LR in any way may be considered an abusive

practice which may result in papers being stricken as well as sanctions being imposed under LR 11.1.” Although Mohlman was not necessarily attempting to circumvent the local rules, the multiple deficiencies in his response show that, at a minimum, he neglected to review the rules before filing his pleading.

[R. 12, PgID 384]. Mohlman filed a second response on June 2, 2015. [R. 13]. This response contains page numbers and is appropriately spaced, but the text is still smaller than the requisite size 14 font. Furthermore, the brief is 30 pages long, in violation of E.D. Mich. LR 7.1(d)(3)(A).

The Court **STRIKES** Mohlman’s response to Defendant’s motion to dismiss [R. 13] and orders that he refile a response that complies with the Local Rules by **June 5, 2015**. Counsel is warned that any continued failure to comply with the Court’s local rules will result in an order to show cause why sanctions should not be imposed pursuant to LR 11.1 and Fed. R. Civ. P. 11(c).

s/Elizabeth A. Stafford
ELIZABETH A. STAFFORD
United States Magistrate Judge

Dated: June 3, 2015

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was served upon counsel of record and any unrepresented parties via the Court's ECF System to their respective email or First Class U.S. mail addresses disclosed on the Notice of Electronic Filing on June 3, 2015.

s/Marlena Williams
MARLENA WILLIAMS
Case Manager