

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

ERIC JAY JABLONSKI,

Plaintiff,

v.

OBLETON,

Defendants.

_____ /

Case No. 23-13097

Susan K. DeClercq

United States District Judge

Curtis Ivy, Jr.

United States Magistrate Judge

ORDER ON MOTION TO STAY (ECF No. 42) AND MOTION TO STRIKE
(ECF No. 50)

Defendants moved to stay discovery (ECF No. 42) alongside their motion for judgment on the pleadings (ECF No. 41). The motion to stay is **TERMINATED AS MOOT** as the undersigned concurrently filed a report and recommendation to grant the motion for judgment on the pleadings. The parties should not be engaging in any discovery for now.

Plaintiff filed a sur-reply to the motion for judgment on the pleadings. (ECF No. 49). Defendants move to strike the sur-reply. (ECF No. 50). Their motion is **GRANTED**. The Local Rules of this Court provide the standard briefing schedule on a motion requiring a response brief and allowing a reply brief. L.R. 7.1(e)(1). The rules do not allow parties to file a sur-reply unless leave to do is granted. Plaintiff was not given leave to file the sur-reply. Thus, the sur-reply is **STRICKEN**.

IT IS SO ORDERED.

The parties here may object to and seek review of this Order, but are required to file any objections within 14 days of service as provided for in Federal Rule of Civil Procedure 72(a) and Local Rule 72.1(d). A party may not assign as error any defect in this Order to which timely objection was not made. Fed. R. Civ. P. 72(a). Any objections are required to specify the part of the Order to which the party objects and state the basis of the objection. When an objection is filed to a magistrate judge's ruling on a non-dispositive motion, the ruling remains in effect unless it is stayed by the magistrate judge or a district judge. E.D. Mich. Local Rule 72.2.

Date: March 10, 2025

s/Curtis Ivy, Jr.
Curtis Ivy, Jr.
United States Magistrate Judge

CERTIFICATE OF SERVICE

The undersigned certifies that this document was served on counsel of record and any unrepresented parties via the Court's ECF System or by First Class U.S. mail on March 10, 2025.

s/Sara Krause
Case Manager
(810) 341-7850