

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

CENTIMARK CORPORATION,)	
)	
Plaintiff,)	
)	
v.)	No. 4:11-CV-720 CAS
)	
PHILIP J. CHRISTOFFERSON, et al.,)	
)	
Defendants.)	

ORDER

This matter is before the Court on review of the file. On October 4, 2011, defendants filed a motion to disqualify plaintiff’s counsel, John Liekar. (Doc. 21). That same day, pursuant to Local Rule 4.01(A), defendants also filed a memorandum in support of their motion. (Doc. 22). Seven days later, on October 11, 2011, plaintiff filed two documents in opposition to the motion to disqualify. (Docs. 23, 24). On October 13, 2011, plaintiff filed a third document in response to the motion. (Doc. 25). Plaintiff did not seek leave of Court to file its second and third documents in opposition to defendants’ motion to disqualify.

Under Local Rule 4.01(A), a motion must be accompanied by a memorandum of law in support, but only one opposition memorandum may be filed in response to a motion, absent leave of Court. See Local Rule 4.01(B), (C). It is not appropriate or necessary for a responding party to file a document in response to the motion and a memorandum in opposition, as plaintiff did. Instead, the responding party should file one memorandum in opposition. See Local Rule 4.01(A) - (C) (authorizing a motion, memorandum in opposition and reply memorandum). It is also not appropriate for a party to file a supplemental memorandum without leave of Court. Id.

The Court will, therefore, disregard Plaintiff’s Reply to Defendants’ Motion to Disqualify Counsel (Doc. 23), Plaintiff’s Memorandum in Opposition to Defendants’ Motion to Disqualify


Counsel (Doc. 24), and Plaintiff's Supplemental Reply to Defendants' Motion to Disqualify Counsel (Doc. 25). Plaintiff will have four (4) days from the date of this Order to file one memorandum in opposition to defendants' motion to disqualify counsel.¹ If necessary, defendants may file a reply memorandum within the time allowed by the Federal Rules of Civil Procedure and the Local Rules of this Court.

Accordingly,

IT IS HEREBY ORDERED that for the reasons stated herein, the Court will not consider the three documents plaintiff filed in opposition to defendants' motion to disqualify counsel, Documents 23, 24, and 25.

IT IS FURTHER ORDERED that plaintiff is granted until **October 21, 2011**, to file a memorandum in opposition to defendants' motion to disqualify counsel.

IT IS FURTHER ORDERED that if plaintiff fails to comply fully and timely with this Order, the Court will proceed to consider defendants' motion to disqualify counsel without any opposition.



CHARLES A. SHAW
UNITED STATES DISTRICT JUDGE

Dated this 17th day of October, 2011.

¹Under Local Rule 4.01(D), no motion, memorandum or brief may exceed fifteen (15) pages, exclusive of the signature page and attachments, without leave of Court.