

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

JULIE A. BUSSING,

Plaintiff,

vs.

COR CLEARING, LLC, et al.,

Defendants.

8:12-CV-238

ORDER

This matter is before the Court on the defendants' motion to strike (filing 86). The defendants ask the Court to strike the plaintiff's Notice of Supplemental Argument Related to Plaintiff's Objections. Filing 85. In her notice, the plaintiff attached a copy of an appellate amicus brief submitted by the Securities and Exchange Commission in a case pending before the Court of Appeals for the Second Circuit. See *Meng-Lin Liu v. Siemens A.G.*, 2013 WL 5692504 (S.D.N.Y. Oct. 21, 2013), *appeal docketed*, No. 13-4385 (2d Cir. Nov. 14 2013). That brief addresses issues of statutory interpretation raised by the motions pending before this Court. Filings 26, 63, 70, 74, 76. The Court has considered the brief and finds it relevant to the matter under consideration. The defendants' motion to strike will therefore be denied.

The defendants have also requested that they be permitted to respond to the arguments raised in the SEC's brief and to provide the Court with opposing briefs or filings from *Liu* or other similar cases. This request is reasonable and will be granted. The defendants may respond, in this limited fashion. The plaintiff, in turn, requests that she be allowed to submit a reply brief. Filing 88. The Court does not believe that any more briefing will be particularly helpful, and so that request is denied.

THEREFORE, IT IS ORDERED:

1. The defendants' motion to strike (filing 86) is denied.
2. The defendants may offer a limited response to the plaintiff's Notice of Supplemental Argument, as set forth above. The defendants shall provide any such response on or before April 14, 2014.

Dated this 4th day of April, 2014.

BY THE COURT:



John M. Gerrard
United States District Judge