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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

2:09-CV-626 JCM (PAL)

ALLIED PROPERTY AND
CASUALTY INSURANCE
COMPANY, a foreign corporation,
individually and as subrogee for its
insured Joseph M. Holohan,

Plaintiff,

v.

BEAZER HOMES HOLDINGS CORP.,
et al.,

Defendants.

ORDER

Presently before the court is defendant Beazer Homes Holdings Corporation’s (“Beazer”) motion for leave to file a reply in support of its motion in limine. (Doc. #122).

This case arises from a fire which occurred on March 5, 2007. Plaintiff Allied Property and Casualty Insurance Company (“Allied”) alleges that the fire was caused by a defective garage door opener and that the garage door opener was improperly attached to the home.

Beazer filed a motion in limine on May 19, 2012. (Doc. #115). This motion asks the court to prevent Allied from presenting its second theory of causation – that the garage door opener was improperly attached to the home. Allied filed an opposition on June 5, 2012. (Doc. #118).

Beazer now moves for leave to file a reply to the opposition to the motion in limine. (Doc. #122). Beazer asserts that Allied’s opposition contains misstatements or mischaracterizations regarding (1) the degree of agreement between experts, (2) the existence and configuration of bracing

1 of the garage door opener, (3) the occurrence of any failure, chaffing, or degradation of the power
2 cord, (4) the occurrence of thermal cycling, and (5) the occurrence of any vibrations of the garage
3 door opener or the power cord. (Doc. #112). Thus, Beazer asks leave of the court to reply to these
4 alleged misstatements.

5 Pursuant to Local Rule 16-3, “[M]otions in limine are due thirty (30) days prior to trial.
6 Oppositions shall be filed and served and the motion submitted for decision fourteen (14) days
7 thereafter. Replies will be allowed only with leave of the court.”

8 Good cause appearing,

9 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that defendant Beazer Homes
10 Holdings Corporation’s motion for leave to file a reply in support of its motion in limine (doc. #122)
11 be, and the same hereby is, GRANTED. Beazer shall file its reply with the court before the calendar
12 call scheduled for June 13, 2012.

13 DATED June 12, 2012.

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15 
16 **UNITED STATES DISTRICT JUDGE**