



1 were used to support Arizona's motion for summary judgment. Doc. #110. Thereafter, R&O filed  
2 the present motion for leave to file a sur-reply to Arizona's motion in light of the magistrate judge's  
3 order. Doc. #111.

4 **II. Discussion**

5 A court has the inherent authority to grant leave to a party to file a sur-reply when the  
6 information in that sur-reply would be germane to the evaluation of a pending matter. *See Cedars-*  
7 *Sinai Medical Center v. Shalala*, 177 F.3d 1126, 1129 (9th Cir. 1999). Here, the court has reviewed  
8 the documents and pleadings on file in this matter and finds that a sur-reply, in light of the recent  
9 evidentiary exclusions outlined in the magistrate judge's order (Doc. #110), would be germane to  
10 the court's evaluation of Arizona's pending motion for summary judgment. Therefore, the court  
11 shall grant R&O's motion.

12  
13 IT IS THEREFORE ORDERED that plaintiff's motion for leave to file a sur-reply  
14 (Doc. #111) is GRANTED.

15 IT IS FURTHER ORDERED that plaintiff shall file a brief sur-reply to defendant's motion  
16 for summary judgment (Doc. #78) of not more than ten (10) pages, within fifteen (15) days of entry  
17 of this order.

18 IT IS SO ORDERED.

19 DATED this 15th day of November, 2011.



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LARRY R. HICKS  
UNITED STATES DISTRICT JUDGE