

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

TARA ANN SHERWIN,

Plaintiff,

v.

INFINITY AUTO INSURANCE COMPANY,
DOES I-X, and ROE CORPORATIONS I-
X, inclusive,

Defendants.

Case No. 2:11-cv-00043-MMD-CVF

ORDER

(Def.'s Partial Motions for Summary
Judgment – dkt. nos. 91, 92, 94).

Before the Court is Defendant Infinity Auto Insurance Company's Motion for Partial Summary Judgment regarding Plaintiff's Fifth Cause of Action regarding violations of Nevada's Unfair Trade Practices Act NRS 686A.310 (dkt. no. 91), Defendant's Motion for Partial Summary Judgment regarding Plaintiff's Second, Third, Fourth, and Fifth Causes of Action and Claims for Punitive Damages (dkt. no. 92), and Defendant's Motion for Partial Summary Judgment regarding Plaintiff's Claims for Punitive Damages (dkt. no. 94). For the following reasons, the Motions are denied.

Defendant has filed three separate motions for partial summary judgment when Defendant should have filed a single motion for summary judgment to address all the raised arguments. Defendant filed two motions (dkt. nos. 91, 92) on March 26, 2012, totaling 34 pages. Defendant then filed another partial motion for summary judgment (dkt. no 94) on April 11, 2012, on the same topic raised in one of the March 26 motions (dkt. no. 92). The Court considers these three motions together despite the delay in

1 filing the third motion for two reasons: (1) because the subject matter overlaps as to
2 claims and relief sought, and (2) the arguments are repeated and crossover among the
3 three motions.


4 Defendant's attempt to circumvent Local Rule 7-4's page limit is transparent
5 because the three partial motions total 40 pages evidencing Defendant's disregard for
6 Rule 7-4's page limit. Thus, the Court denies the Motions without prejudice for failure to
7 comply with Local Rule 7-4. The Court strongly cautions the parties that the Court will
8 not consider motions that exceed Local Rule 7-4's page limit.

9 IT IS THEREFORE ORDERED that Defendant's Motion for Partial Summary
10 Judgment regarding Plaintiff's Fifth Cause of Action that alleges violations of Nevada's
11 Unfair Trade Practices Act NRS 686A.310 (dkt. no. 91) is DENIED.

12 IT IS FURTHER ORDERED that Defendant's Motion for Partial Summary
13 Judgment regarding Plaintiff's Second, Third, Fourth, and Fifth Causes of Action and
14 Claims for Punitive Damages (dkt. no. 92) is DENIED.

15 IT IS FURTHER ORDERED that Defendant's Motion for Partial Summary
16 Judgment regarding Plaintiff's Claims for Punitive Damages (dkt. no. 94) is DENIED.

17 DATED THIS 30th day of October 2012.

18 
19 _____
20 MIRANDA M. DU
21 UNITED STATES DISTRICT JUDGE
22
23
24
25
26
27
28