

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

RODNEY HOLT,

Plaintiff,

vs.

U.S. BANK N.A.,

Defendants.

Case No. 2:12-cv-00463-KJD-CWH

ORDER

This matter is before the Court on Plaintiff’s Motion to Strike (#42), filed May 25, 2012. This is the fourth motion to strike filed by Plaintiff in this matter.

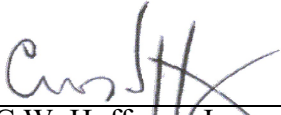
Courts disfavor motions to strike. *Colaprico v. Sun Microsystems, Inc.*, 758 F.Supp. 1335, 1339 (N.D.Cal.1991) (“[M]otions to strike should not be granted unless it is clear that the matter to be stricken could have no possible bearing on the subject matter of the litigation.”) (citing sources); *United States v. 729.773 Acres of Land, More or Less, Situate in City and County of Honolulu*, 531 F.Supp. 967, 971 (D.Haw.1982) (“A motion to strike is a severe measure and it is generally viewed with disfavor.”); *Bureerong v. Uvawas*, 922 F.Supp. 1450, 1478 (C.D.Cal.1996) (“Rule 12(f) motions are generally disfavored because they are often used as delaying tactics, and because of the limited importance of pleadings in federal practice.”) (citations and omitted).

Here, Plaintiff requests that the Court strike Defendant’s responses (#28) and (#30), asserting that each is an impermissible surreply. The Court disagrees. Defendant’s response (#28) pertained to Plaintiff’s motion to strike (#24), which has been denied. *See* Order (#40). Defendant’s response (#30) pertains to Plaintiff’s motion to strike (#25) and, as such, is permitted under this Court’s Local Rules. *See* LR 7-2(b) (allowing a nonmoving party to file and serve a response to a motion within fourteen (14) days after service of the motion).

Based on the foregoing and good cause appearing therefore,

IT IS HEREBY ORDERED that Plaintiff’s Motion to Strike (#42) is **denied**.

DATED this 30th day of May, 2012.



C.W. Hoffman, Jr.
United States Magistrate Judge

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