

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

JOSEPH LEWIS,

Plaintiff,

VS.

DELTA AIR LINES, INC.,

Defendant.

Case No. 2:14-cv-01683-RFB-GWF

ORDER

This matter is before the Court on Defendant's Motion to Strike Plaintiff's Reply to Defendant's Response to the Court's Order to Show Cause (ECF No. 118), filed on February 8, 2017.

Local Rule 16-5 provides in pertinent part:

The court's ADR process is confidential. Unless otherwise agreed by the parties or ordered by the court, no disclosure may be made to anyone, including the judicial officer whom the case is assigned, of any confidential dispute-resolution positions or the evaluating magistrate judge's advice or opinion.

Defendant argues that Plaintiff violated LR 16-5 in his Reply to Defendant's Response to the Court's Order to Show Cause (ECF No. 103). Specifically, Defendant asserts that Plaintiff disclosed on the public record the amount which Defendant offered Plaintiff during the settlement conference and also disclosed the undersigned's advice and opinions made during the settlement conference. Review of Plaintiff's reply confirms Defendant's assertions. The Court therefore finds that Plaintiff's reply violates LR 16-5 and will strike it from the public record. Furthermore, as evidenced by the Court's order sanctioning Plaintiff for his failure to appear at the November 17, 2016 settlement conference (*see* ECF No. 105), the arguments made by Plaintiff in his reply were not

1 pertinent to the Court's decision that an award of fees and costs was proper. Accordingly,

2 **IT IS HEREBY ORDERED** that Defendant's Motion to Strike Plaintiff's Reply to
3 Defendant's Response to the Court's Order to Show Cause (ECF No. 118) is **granted**.

4 **IT IS FURTHER ORDERED** that the Clerk of the Court is directed to **STRIKE** Plaintiff's
5 Reply to Defendant's Response to the Court's Order to Show Cause (ECF No. 103) from the record
6 in this case.

7 DATED this 9th day of February, 2017.

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10 GEORGE FOLEY, JR.
11 United States Magistrate Judge
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