

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**

COUNTRY STEVENS,)	3:09-cv-00227-RCJ-WGC
)	
Plaintiff,)	<u>ORDER</u>
)	
vs.)	
)	
HOWARD SKOLNIK, et. al.)	
)	
Defendants.)	
)	

Before the court is Defendants' Motion to Strike Plaintiff's Response to Defendants' Reply in Support of Summary Judgment. (Doc. # 147.)¹

Defendants filed their motion for summary judgment on June 26, 2013. (Doc. # 138.) Plaintiff filed a response. (*See* Docs. # 142 (affidavit), # 143 (brief in opposition).) Defendants subsequently filed their reply brief. (Doc. # 145.) At that point, the motion was considered fully briefed. Plaintiff subsequently filed a response to Defendants' reply. (Doc. # 146.)

Local Rule 7-2 contemplates the filing of a motion, opposition and reply briefs, but not a sur-reply, as Plaintiff has filed here. Plaintiff did not seek leave of court to file his sur-reply.

The court has reviewed the sur-reply, and the document itself provides no good cause justifying leave to file an additional brief. Instead, Plaintiff reiterates the arguments he asserted

¹Refers to court's docket number.

1 in his opposition brief with some elaboration. There is no argument asserted in Defendants' reply
2 brief that Plaintiff could not have originally addressed in his opposition brief.

3 Accordingly, Defendants' motion to strike the sur-reply (Doc. # 147) is **GRANTED** and
4 the Clerk shall **STRIKE** Plaintiff's sur-reply (Doc. # 146).

6 **IT IS SO ORDERED.**

7 DATED: February 3, 2014.

9 

10

WILLIAM G. COBB
11 **UNITED STATES MAGISTRATE JUDGE**