Freeto v. Litton Loan Servicing LP et al Doc. 72

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

* * *

RONALD E. FREETO, Plaintiff,	)	3:09-cv-00754-LRH-VPC
v.	)	ORDER
LITTON LOAN SERVICING LP; et al., Defendants.	)	

Before the court is defendants' motion to strike plaintiff Ronald E. Freeto's ("Freeto") reply to his renewed motion to remand. Doc. #67.[1]

I. Facts and Procedural History

In April 2005, Freeto purchased real property through a mortgage and note originated by defendant Lime Financial Services. He eventually defaulted on his mortgage and defendants initiated foreclosure proceedings.

Subsequently, on November 17, 2009, Freeto filed a complaint in state court against defendants. Doc. #1, Exhibit 1. Defendants removed the matter to federal court on federal question grounds. Doc. #1. Freeto filed an initial motion to remand (Doc. #12) which the court denied (Doc. #30).

[1] Refers to the court's docket entry number.

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Subsequently, Freeto filed a renewed motion to remand. Doc. #55. Defendants filed an opposition (Doc. #62) to which Freeto replied (Doc. #66). Thereafter, defendants filed the present motion to strike arguing that Freeto's reply was untimely. Doc. #67.

The court has already denied Freeto's renewed motion for remand. *See* Doc. #68. Therefore, the court finds it unnecessary to strike Freeto's reply as untimely because the underlying motion has been resolved. Accordingly, the court shall deny defendants' motion to strike as moot.

IT IS THEREFORE ORDERED that defendants' motion to strike (Doc. #67) is DENIED as moot.

IT IS SO ORDERED.

DATED this 15th day of December, 2010.

LARRY R. HICKS
UNITED STATES DISTRICT JUDGE