

UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF NEW HAMPSHIREInsight Technology Inc.

v.

Civil No. 04-cv-74-JD

SureFire, LLCO R D E R

In the trial notice issued on May 12, 2009, the parties and their counsel were informed that under Local Rule 16.2(d), all objections to final pretrial documents were to be filed by September 29, 2009. Under Local Rule 6.1, the time period for filing the objections is determined under Federal Rule of Civil Procedure 6(a). As a result, the "mailing rule" did not apply.

The parties failed to file their objections on September 29. Instead, they began filing objections during the evening of Friday, October 2, 2009. At 11:00 pm, SureFire filed an assented-to motion to extend time to file its objections until Sunday, October 4, 2009. SureFire then filed its last objection late on Sunday night.

The purpose of a deadline is to allow the court sufficient time to act without delaying other actions, such as the final pretrial conference, which is scheduled for Friday, October 9, 2009. The parties did not seek leave to file their objections on

October 2, which was three days after the deadline. The motion for leave to extend time to October 4 also was late.

On the other side of the balance is the benefit to the court of a presentation from both sides on the issues raised. Because SureFire has filed its responses, those will be considered.

Conclusion

For the foregoing reasons, the assented-to motion for an extension of time (document no. 280) is granted.

SO ORDERED.


Joseph A. DiClerico, Jr.
United States District Judge

October 5, 2009

cc: Thomas A. Brown, Esquire
Laura L. Carroll, Esquire
Zachary Rush Gates, Esquire
Jonathan Hangartner, Esquire
Lawrence K. Kolodney, Esquire
Gregory A. Madera, Esquire
Diane A.D. Noel, Esquire
Jonathan M. Shirley, Esquire
Craig R. Smith, Esquire
Daniel E. Will, Esquire
Leigh S. Willey, Esquire