

**IN THE UNITED STATES DISTRICT COURT FOR
THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
1:15 CV 35**

TERESA S. PRICE AND THOMAS H.)
PRICE,)
)
Plaintiffs)
)
v)
)
U.S. GEAR TOOLS, INC., TEXTRON, INC.,)
AECOM, INC., and MICROMATIC, LLC,)
)
Defendants.)

ORDER

THIS MATTER is before the undersigned pursuant to a motion filed by what is denoted as the Plaintiffs Thomas H. Price and Teresa S. Price (#28) and another motion which is filed by Thomas H. Price, Administrator of the Estate of Aaron V. Price, deceased, (#27). The Court first notes that neither filing has the correct name of the appropriate Plaintiffs listed in either one of the two motions. The motions are denoted as a Request to Add Additional Party Defendant, to File Amended Complaint and to Extend Discovery (#27) & (#28). An examination of the motions show that in addition to their having incorrect captions, there has been a failure to file a brief. LCvR 7.1(C) states as follows:

(C) Requirement of Briefs. Briefs shall be filed contemporaneously with the motion, except no brief is required in support of timely motions for extension of time, continuances, admission *pro hac vice*, or early

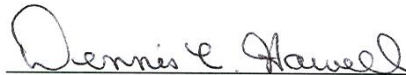
discovery. Exhibits in support of a brief shall be attached as appendices as specified in the Administrative Procedures. Factual contentions shall be supported as specifically as possible by citation to exhibit number and page.

Due to the failure of the above referenced filings (#27) & (#28) to name the appropriate Plaintiffs and for the failure of Plaintiff's counsel to file a brief, both motions will be denied without prejudice.

ORDER

IT IS, THEREFORE, ORDERED that the motions (#27) and (#28) filed in this matter are **DENIED** without prejudice.

Signed: November 13, 2015



Dennis L. Howell
United States Magistrate Judge

