

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
DOCKET NO. 3:11-cv-00617-W

MARY B. RUDOLPH, RUDOLPH-RAAD, )  
INC., and FAMILY FORUM, INC., )

Plaintiffs, )

vs. )

BEACON INDEPENDENT LIVING LLC, )  
FRANK MCCOLLUM, BRUCE L. )  
BLEIMAN, ANTOINE LASSITER, ED )  
BOWERS, in his capacity as Receiver for )  
Charlottetown Manor, Inc., WIND N SEA )  
HOLDINGS, LLC, and WESLEY L. )  
DEATON, Substitutes Trustee of that Deed )  
of Trust executed by Rudolph-Raad, Inc., )  
dated the 28th day of June, 2002, and )  
recorded July 1, 2002, in Book 13761, Page )  
926 of the Mecklenburg County Public )  
Registry and re-recorded on January 17, )  
2003, in Book 14708, Page 79 of the )  
Mecklenburg County Registry, )

Defendants. )

ORDER

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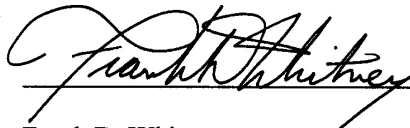
THIS MATTER is before the Court *sua sponte* following initial review of several motions for summary judgment filed yesterday (Docs. Nos. 140, 141, 142, 143). These Defendants’ memoranda fail to contain a word count certification as required under the case management order in this case. The Court’s Initial Scheduling Order (Doc. No. 47), paragraph 3(b)(iv), clearly provides, “The memorandum of law shall include a certificate by the attorney (or the party if unrepresented), subject to Rule 11, that the submission complies with the foregoing word limitation. Non-complying briefs will be stricken summarily from the record.”

IT IS THEREFORE ORDERED that the Court hereby STRIKES Defendant Wind N Sea Holdings, LLC, "Brief in Support of its Motion for Summary Judgment" (Doc. No. 140), and all of the motions for summary judgment filed by Defendants Antoine Lassiter, Bruce Bleiman, and Beacon Independent Living, LLC, (Docs. Nos. 141, 142, 143).

IT IS ALSO ORDERED that the Court hereby grants leave to amend these pleadings and refile no later than 5:00 pm today, July 18, 2012. In light of this order, the Court also *sua sponte* extends the time for filing responses to these motions to 5:00 pm on July 25, 2012. No extensions of time will be granted for the filing of replies, as that is a consequence resulting from these Defendants' failure to comply with this Court's order.

IT IS SO ORDERED.

Signed: July 18, 2012

  
Frank D. Whitney  
United States District Judge

