

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA
SOUTHWESTERN DIVISION**

Kevin Fernandez,)	
)	
Plaintiff,)	ORDER
)	
vs.)	
)	
State of North Dakota, et. al.,)	Case No. 1:12-cv-161
)	
Defendants.)	

On February 6, 2014, plaintiff filed a “ Motion for Enlargement of Time to File Plaintiff’s Opposition for Motion for Summary Judgment.” (Doc. No. 133). On February 12, 2014, the court granted the motion and ordered that plaintiff was to file a response to defendants’ Motion for Summary Judgment on or before February 28, 2014. (Dock. No. 134).

On February 21, 2014, Plaintiff filed the following: “Motion to Clarify Order (134) , Motion Reconsider Order (134), Motion for Enlargement of Time to File Plaintiff’s Motion for Partial Summary Judgment.”

On February 27, 2014 plaintiff filed a “Motion for Leave to Exceed Page Limitation in Plaintiff’s Opposition and Counter-Motion for Summary Judgment.” He sought leave to file combined brief in opposition to defendants’ Motion for Summary Judgment and in support of his forthcoming Motion for Partial Summary Judgment with more pages designated for argument than is permitted under D.N.D. Civ. L.R. 7.1(A). On March 7, 2014, plaintiff filed a Motion for Partial Summary Judgment. He also filed a combined brief (fifty-eight pages in length) in support of his motion and in opposition to defendants’ motion.

On March 10, 2014, defendants filed a motion requesting an extension of time in which to

file their response to plaintiff's Motion for Partial Summary Judgment and their reply to plaintiff's response in opposition to defendants' Motion for Summary Judgment.

First, defendants' motion requesting an extension of time in which to file their response to plaintiff's Motion for Partial Summary judgment and their reply to plaintiff's opposition to defendants' Motion for Summary Judgment (Docket No. 144) is deemed **MOOT**; defendants filed the aforementioned response and reply on March 21, 2013.

Second, Plaintiff's "Motion to Clarify Order (134), Motion Reconsider Order (134), Motion for Enlargement of Time to File Plaintiff's Motion for Partial Summary Judgment" (Docket No. 138) are also **DEEMED MOOT** as plaintiff has now filed his Motion for Partial Summary Judgment.

Third, plaintiff's "Motion for Leave to Exceed Page Limitation in Plaintiff's Opposition and Counter-Motion for Summary Judgment" (Docket No. 140) is **GRANTED**.

IT IS SO ORDERED.

Dated this 24th day of March, 2014.

/s/ Charles S. Miller, Jr.
Charles S. Miller, Jr., Magistrate Judge
United States District Court