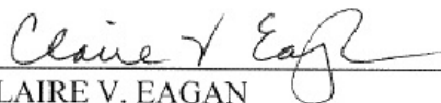


However, Local Rule 81.1 requires a jury demand to be filed within the time specified in Federal Rules of Civil Procedure 38 and 81, meaning in this district, a party has 14 days after removal to file his jury demand. See Jones v. WATCO Companies, LLC, No. 13-CV-0372-CVE-TLW, 2014 WL 642018, at *1 n.2 (N.D. Okla. Feb. 19, 2014). Here, plaintiff's deadline to file a jury demand was January 27, 2017, but plaintiff did not file his demand until February 2, 2017. Plaintiff argues that the Court's order to file a joint status report by February 17, 2017 extended his deadline to file a jury demand to that date because the joint status report requires parties to set forth whether a jury trial is demanded. Dkt. # 20, at 3. However, Rule 81 and Local Rule 81.1 are clear, a party has 14 days after removal to file a demand for a jury trial. That the Court asks the parties to state whether a jury trial is demanded in a joint status report does not affect the clear, 14-day deadline of Rule 81 and Local Rule 81.1.

Alternatively, plaintiff asks the Court not to strike his jury demand pursuant to the Court's discretion under Federal Rule of Civil Procedure 39(b). "[A]bsent strong and compelling reasons to the contrary, a district court should exercise its discretion under Rule 39(b) and grant a jury trial." School-Link Tech., Inc. v. Applied Res., Inc., 471 F. Supp. 2d 1101, 1120 (10th Cir. 2007) (quoting Nissan Motor Corp. in U.S.A. v. Burciaga, 982 F.2d 408, 409 (10th Cir. 1992)) (alteration in original). Here, plaintiff's jury demand was filed six days late. Defendant does not argue that plaintiff's late jury demand will prejudice it, and the Court sees no reason why allowing plaintiff's late jury demand would disrupt this litigation. Because the Court finds no "strong and compelling reasons to the contrary," the Court will exercise its discretion under Rule 39(b) and grant a jury trial.

IT IS THEREFORE ORDERED that defendant's motion to strike plaintiff's jury demand (Dkt. # 18) is **denied**.

DATED this 13th day of March, 2017.



CLAIRE V. EAGAN
UNITED STATES DISTRICT JUDGE