

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

CHERYL A. SLATER,

Plaintiff,

v.

SUSQUEHANNA COUNTY, et al.,

Defendants.

CIVIL ACTION NO. 3:07-cv-2304

(JUDGE CAPUTO)

MEMORANDUM ORDER

Presently before the Court is the Motion to Dismiss or for Summary Judgment of Defendants Teamsters Local Union 229 and Jack McGrail. (Doc. 47.) Defendants move for dismissal of or summary judgment on Plaintiff Cheryl A. Slater's Second Amended Complaint (Doc. 46). However, Defendants' brief in support of its motion fails to comply with Local Rule of Court 7.8(b), providing that no brief may be filed exceeding fifteen (15) pages in length or five thousand (5,000) words unless prior authorization is obtained from the Court to file an oversized brief. Without authorization from the Court, Defendants filed a brief of eighty (80) pages and seventeen thousand, nine hundred twenty-nine (17,929) words. (Doc. 49.) Defendants brief is therefore stricken from the record for failure to comply with Local Rule 7.8. Further, Local Rule 7.5 provides that a party shall file a brief supporting a pretrial motion within ten (10) days of filing the motion. If a party fails to do so, the motion is deemed withdrawn. Because Defendants' brief is stricken, the unsupported motion is deemed withdrawn under Rule 7.5.

NOW, this 9th day of March, 2009, **IT IS HEREBY ORDERED** that:

(1) Defendants Teamsters Local Union 229 and Jack McGrail's Brief in Support

of their Motion to Dismiss or for Summary Judgment (Doc. 49) is **STRICKEN** from the record.

- (2) Defendants' Motion to Dismiss or for Summary Judgment (Doc. 47) is deemed **WITHDRAWN**.



A. Richard Caputo
United States District Judge