

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

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|----------------------------------|---|--------------------------|
| REGIS ELLIS and BONNIE ELLIS, |) | |
| his wife, |) | |
| |) | |
| Plaintiffs, |) | |
| |) | |
| vs. |) | Civil Action No. 09-1414 |
| |) | |
| BEEMILLER, INC. and MKS SUPPLY, |) | |
| INC., t/d/b/a HI-POINT FIREARMS, |) | |
| |) | |
| Defendants. |) | |

ORDER

AND NOW, this 19th day of December, 2012, upon consideration of the Motion for Reconsideration of Order Granting Rule 11 Sanctions (document No. 79) filed by Jason M. Schiffman, Esquire, and Schiffman & Wojdowski in the above captioned matter on December 6, 2012, and upon further consideration of Defendants' Response thereto,

IT IS HEREBY ORDERED that said Motion is DENIED. The Court finds that reconsideration is not warranted under any grounds outlined in Fed. R. Civ. P. 60(b).

AND, FURTHER, upon consideration of the Motion for Leave to File Answer to Motion for Sanctions (document No. 77 (errata at document No. 81)) filed by Jason M. Schiffman, Esquire, and Schiffman & Wojdowski in the above captioned matter on December 6, 2012,

IT IS HEREBY ORDERED that said Motion is DENIED as untimely, the deadline for Plaintiffs' counsel response having expired on December 30, 2011 (see Order of 12/15/2011). In fact, Plaintiffs' counsel responded to the Motion for Sanctions by submitting

document Nos. 62 and 66. Therefore, Plaintiffs' counsel's Answer to Motion for Sanctions (document No. 78 (errata at document No. 82)) is STRICKEN from the record.

Defendants shall file no later than December 26, 2012, a supplemental affidavit setting forth any additional fees incurred in filing the response and declaration to the Motion for Reconsideration. Plaintiffs' counsel may file a response to the supplemental affidavit no later than January 2, 2013.

s/Alan N. Bloch
United States District Judge

ecf: Counsel of record