

Motion GRANTED.  
Reply to be filed by  
2/11/11.

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION



TRACIE M. TRUTH, )  
 )  
 Plaintiff, )  
 )  
 v. )  
 )  
 ERIC ESKIOGLU, M.D., )  
 )  
 Defendant. )

NO. 3:10-1165

JUDGE TRAUGER  
MAGISTRATE JUDGE GRIFFIN

**DEFENDANT’S MOTION FOR LEAVE TO FILE REPLY IN  
SUPPORT OF MOTION TO DISMISS**

Defendant Eric Eskioglu, M.D. hereby moves the Court, pursuant to Local Rule 7.01(b), for permission to file a reply memorandum in support of his motion to dismiss this action pursuant to Rule 12 (b)(6) of the Federal Rules of Civil Procedure, for failure to state a claim upon which relief can be granted. In plaintiff’s response to the motion to dismiss, she presents matters outside of the complaint for the Court’s consideration and makes a number of factual and legal assertions that are not correct. As a result, defendant respectfully requests an opportunity to file a reply to plaintiff’s response. Allowing defendant to do so would aid the Court significantly in its adjudication of defendant’s motion to dismiss. For those reasons, defendant requests that the Court grant this motion and allow him ten (10) days to file his reply brief.

Respectfully submitted,

/s/ W. Scott Sims  
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