

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

PETER S. HARMER, et ux)
CHRISTINE C. HARMER,)

Plaintiffs,)

vs.)

CASE NO. 3:13-00286
JUDGE SHARP /KNOWLES

JURY DEMANDED

WILBUR O. COLOM and)
THE COLOM LAW FIRM, LLC,)
a Mississippi limited liability company,)

Defendants.)

ORDER

This matter is before the Court upon the following four Motions to Strike filed by Plaintiffs:

- (1) "Plaintiff's [*sic*] Motion to Strike Defendant's Motion to Dismiss" (Docket No. 17);
- (2) "Plaintiff's [*sic*] Motion to Strike Motion to Dismiss, Renewed Motion to Dismiss (Doc. 33) for Lack of Jurisdiction, Defendants' Motion for Protective Order (Doc. 34), (Doc. 35) Defendants' Renewed Motion to Dismiss for Failure to State a Claim Upon Which Relief May Be Granted and (Doc. 36) Memorandum in Support of Defendants' Renewed Motion to Dismiss for Lack of Personal Jurisdiction (Doc. 30) and Memorandum in Support Thereof (Doc. 31) Filed by Defendant, The Colom Law Firm, LLC" (Docket No. 37);
- (3) "Plaintiff's [*sic*] Motion to Strike Defendants' Motion for Telephonic Hearing" (Docket No. 42); and

(4) “Plaintiff’s [sic] Motion to Strike Defendants Motion to Stay Discovery and Initial Disclosures” (Docket No. 45).

Motions to Strike are governed by Fed. R. Civ. P. 12(f), which states:

The court may strike *from a pleading* an insufficient defense or any redundant, immaterial, impertinent, or scandalous matter. The court may act:

(1) on its own; or

(2) on motion made by a party either before responding to the pleading or, if a response is not allowed, within 20 days after being served with the pleading.

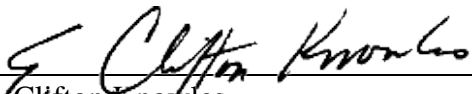
Fed. R. Civ. P. 12(f) (emphasis added).

Motions to Strike are applicable only to pleadings. *See Fox v. Michigan State Police Dept.*, 2006 U.S. App. LEXIS 5019 (6th Cir.) at **5-6; *Wimberly v. Clark Controller Co.*, 364 F.2d 225, 227 (6th Cir. 1966). *See also Lombard v. MCI Telecommunications Corp.*, 13 F. Supp. 2d 621, 625 (N.D. Ohio 1998); *Hrubec v. National R.R. Passenger Corp.*, 829 F. Supp. 1502, 1506 (N.D. Ill. 1993).

The foregoing documents Plaintiffs seek to strike are not pleadings, and they cannot be stricken.

For the foregoing reasons, the instant Motions (Docket Nos. 17, 37, 42, and 45) are DENIED.

IT IS SO ORDERED.



E. Clifton Knowles
United States Magistrate Judge