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**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF UTAH, CENTRAL DIVISION**

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JEFF JOHNSON,

Plaintiff,

v.

MISSION SUPPORT, et al.,

Defendants.

**MEMORANDUM DECISION AND  
ORDER DENYING DEFENDANT'S  
MOTION TO FOR LEAVE TO FILE SUR-  
REPLY TO RELATOR'S MOTION TO  
COMPEL ON HIS FIFTH DISCOVERY  
REQUEST (Docket No. 145)**

Case No. 2:08-CV-00877-DN-EJF

District Judge David Nuffer

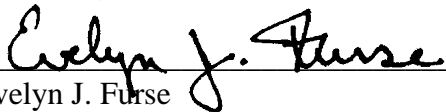
Magistrate Judge Evelyn J. Furse

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Mission Support moved this Court to grant it leave to file a sur-reply to Mr. Johnson's fifth discovery request.<sup>1</sup> (Docket No. 145.) The Court has carefully read the Motion and Memorandum submitted and heard oral argument on December 4, 2012. This Court now DENIES the Motion because it does not need additional briefing on the matter following oral argument.

SO ORDERED this 28th day of January, 2013.

BY THE COURT:

  
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Evelyn J. Furse  
United States Magistrate Judge

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<sup>1</sup> On October 5, 2010, District Judge Dee Benson referred this case to Magistrate Judge David Nuffer under 28 U.S.C. section 636(b)(1)(A). (Docket No. 28.) On March 31, 2012, the case was reassigned from Judge Benson to newly appointed District Judge David Nuffer. (Docket No. 126.) On May 21, 2012, Judge Nuffer reassigned the referral to Magistrate Judge Evelyn J. Furse. (Docket No. 143.)