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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

SOARING HELMET CORPORATION,

Plaintiff,

v.

NANAL INC., et al.,

Defendants.

CASE NO. C09-789JLR

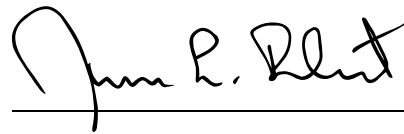
ORDER ON MOTION TO STRIKE

Before the court is Defendant Nanal, Inc., d/b/a Leatherup.com’s (“Nanal”) motion to strike Plaintiff’s untimely disclosed evidence (Dkt. # 67). The motion to strike was appropriately presented in Nanal’s reply memorandum to its motion for summary judgment pursuant to W.D. Wash. Local Rule CR 7(g). Due to the procedural posture of the motion, Plaintiff has not had the opportunity to respond to it. Accordingly, the court orders Plaintiff to file a response to the motion to strike the following evidence:

1. Morado Decl. (Dkt. # 66), Exhibit N;
2. Mallard Decl. (Dkt. # 64), Exhibits A, B, and C and allegations found at paragraphs 10-14 and 16-20 of the declaration;
3. Loga Decl. (Dkt. # 63) allegations found at paragraphs 4-11;
4. Layman Decl. (Dkt. # 62) allegations found at paragraphs 8-14; and
5. DeMund Decl. (Dkt. # 61) allegations found at paragraphs 20-22.

The response is due at noon on December 28, 2010, and shall be limited to responding to Nanal's contention that the above-listed evidence was not disclosed during discovery pursuant to Federal Rule of Civil Procedure 26(a) or (e). The response shall be no longer than five pages.

Dated this 21st day of December, 2010.



JAMES L. ROBART  
United States District Judge