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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

MICHAEL F. MOYNIHAN, JR.,)	
)	CASE NO. C11-0271-RAJ-MAT
Plaintiff,)	
)	
v.)	ORDER STRIKING AND
)	RETURNING PLAINTIFF'S
THOMAS J. DAVIS,)	INTERROGATORIES
)	
Defendant.)	
_____)	

Plaintiff filed Interrogatories (Dkt. 13) with the Clerk on May 17, 2011. However, pursuant to Civil Rule of Federal Procedure 5(d)(1), discovery requests, including interrogatories, may not be filed with the Court until they are used in the proceeding or unless ordered by the Court. In this instance, the interrogatories are unanswered and defendant has yet to be served. Consequently, the Court directs the Clerk to STRIKE plaintiff's interrogatories and return them to plaintiff.

DATED this 20th day of May, 2011.



 Mary Alice Theiler
 United States Magistrate Judge