

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

MIKE HOWISEY, as attorney in fact for
WALLACE E. HOWISEY, an incapacitated
person,

Plaintiff,

V.

TRANSAMERICA LIFE INSURANCE
COMPANY, a foreign corporation organized
under the laws of the State of Iowa,

Defendant.

Case No. C17-00009RSM

ORDER DENYING DEFENDANT'S
MOTION FOR LEAVE TO FILE
OVERLENGTH BRIEF IN SUPPORT OF
MOTION FOR SUMMARY JUDGMENT

Defendant.

This matter comes before the Court on Defendant Transamerica Life Insurance Company (“Transamerica”)’s Motion to File Over-Length Reply Brief in Support of its Motion for Summary Judgment. Dkt. #58. The Court has reviewed the instant Motion and determined that it can be denied without the need for responsive briefing. *See* LCR 7(f)(3).

On September 7, 2017, Transamerica filed a 24-page motion for summary judgment. Dkt. #40. This motion was renoted for consideration on October 6, 2017. Dkt. #45. Plaintiff filed a 24-page Response on October 2, 2017. Dkt. #54. Both the motion and the Response satisfy the 24-page limit for motions for summary judgment; the reply brief is limited to 12 pages, LCR 7(e)(3), and is due on October 6, 2017, LCR 7(d)(3).

ORDER DENYING DEFENDANT'S MOTION FOR LEAVE TO FILE OVERLENGTH
BRIEF IN SUPPORT OF MOTION FOR SUMMARY JUDGMENT - 1

1 The instant Motion seeks leave to file five additional pages in the Reply because
2 "Plaintiff's Response raises several new issues that were not addressed in Transamerica's
3 Summary Judgment Motion," and because Plaintiff has filed a new declaration with ten
4 exhibits. Dkt. #58 at 2.

5 Motions seeking approval to file an over-length motion or brief are "disfavored." LCR
6 7(f). As the Court has previously stated, over-length briefing is never granted without a
7 demonstrated need for additional argument or evidence. Transamerica has failed to adequately
8 demonstrate such a need. That an opposing party would raise new issues in Response to a
9 summary judgment motion, or attach new exhibits, is routine and does not alone warrant
10 deviating from this Court's well-reasoned page limitations. Transamerica has simply failed to
11 show that it cannot adequately respond within 12 pages of briefing.

12 Accordingly, the Court hereby finds and ORDERS that Defendant Transamerica's
13 Motion to File Over-Length Reply Brief in Support of its Motion for Summary Judgment, Dkt
14 #58, is DENIED.

15 DATED this 4 day of October, 2017.

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RICARDO S. MARTINEZ
CHIEF UNITED STATES DISTRICT JUDGE