

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

CHRISTOPHER KING, J.D., et al.,

Case No. C17-00031-RSM

Plaintiffs,

MINUTE ORDER RE: RULE 59  
MOTION

HON. STANLEY J. RUMBAUGH.

Defendant.

The following MINUTE ORDER is made by direction of the Court, the Honorable Ricardo S. Martinez, Chief United States District Judge: On April 6, 2017, this Court issued an Order granting Defendant's Motion to Dismiss and entered Judgment, closing this case. Dkts. #24 and #25. On May 3, 2017, the Court received the instant Motion for Rule 59 Relief from Judgment. Dkt. #26. This Motion lacks a noting date and is 18 pages in length, not including attachments. *See id.*

“All motions shall include in the caption... the date the motion is to be noted for consideration upon the court’s motion calendar” pursuant to Local Rule 7(d). LCR 7(b)(1). A motion brought under Rule 59 is a Third Friday Motion, properly noted no earlier than the third Friday after filing. *See* LCR 7(d)(3). Such a motion and its opposition brief “shall not exceed twelve pages,” and any reply brief “shall not exceed six pages.” LCR 7(e)(4). Motions to file

1 over-length motions or briefs “are disfavored” and may not be filed later than three days before  
2 the underlying motion is due. LCR 7(f). Local Rule 10 sets forth the required formatting of all  
3 motions filed in this Court.

4 The Court finds that Plaintiffs’ Rule 59 Motion exceeds the applicable page limit by six  
5 pages, not including attachments, and deviates from the required formatting of motions in this  
6 Court. Plaintiffs have failed to move to file an over-length motion, and the Court will not grant  
7 such relief at this time. Accordingly, the Court will not consider Plaintiffs’ briefing after page  
8 twelve and Defendant need not respond to any argument made after page twelve. Defendants’  
9 response brief may not exceed twelve pages and Plaintiffs’ reply brief may not exceed six  
10 pages. The Court DIRECTS the Clerk to note Plaintiffs’ Rule 59 Motion, Dkt. #26, for  
11 consideration on May 19, 2017. Defendants’ response is due May 15, 2017, and any reply brief  
12 is due on May 19, 2017. LCR 7(d)(3).

15 DATED this 8th day of May, 2017.  
16

17 WILLIAM McCOOL, Clerk  
18

19 By: /s/ Rhonda Stiles  
Deputy Clerk  
20  
21  
22  
23  
24  
25  
26  
27  
28