

Ronald D. Green, NV Bar #7360  
 Randazza Legal Group  
 6525 W. Warm Springs Road, Suite 100  
 Las Vegas, NV 89118  
 888-667-1113  
 305-437-7662 fax  
[ecf@randazza.com](mailto:ecf@randazza.com)

Attorney for Plaintiff

MARC J. RANDAZZA, JENNIFER RANDAZZA, and NATALIA RANDAZZA

**UNITED STATES DISTRICT COURT**

**DISTRICT OF NEVADA**

MARC J. RANDAZZA, an individual,	)	Case No. 2:12-cv-02040
JENNIFER RANDAZZA, an individual, and	)	
NATALIA RANDAZZA, a minor,	)	<b>PLAINTIFFS' REPLY IN SUPPORT OF</b>
	)	<b>MOTION TO STRIKE DEFENDANT</b>
Plaintiffs,	)	<b>CRYSTAL COX'S FUGITIVE</b>
	)	<b>SURREPLY TO MOTION FOR</b>
vs.	)	<b>PRELIMINARY INJUNCTION</b>
	)	<b>PURSUANT TO LR 7-2</b>
CRYSTAL COX, an individual, and ELIOT	)	
BERNSTEIN, an individual,	)	
	)	
Defendants.	)	

Plaintiffs Marc J. Randazza, Jennifer Randazza, and Natalia Randazza, a minor, through counsel, file this reply brief in support of their pending motion to strike Defendant Crystal Cox's Surreply to Motion for Preliminary Injunction (the "Surreply," ECF #30).

Defendant's submission to the court acknowledges that her surreply, Document # 30, is improper. As Defendant states in her response to Plaintiffs' Motion to Strike:

On January 5th 2013, Defendant Crystal Cox filed a response to Document 28, Defendant Crystal Cox's motion in Objection to Document 28 is Document Number 30. (ECF 32 at 2).

Defendant did not file an objection; she filed a response to Plaintiffs' reply in support of their motion for temporary restraining order / motion for preliminary injunction, which would be

1 properly identified as a surreply. Local Rule 7-2 allows only for motions, responses by non-  
2 moving parties, and the movant's reply briefing. Defendant's own submission on this motion  
3 explains that her response to Plaintiffs' reply brief (ECF 30) is effectively a surreply and beyond the  
4 ambit of Local Rule 7-2 (ECF 32 at 2). Accordingly, Defendant's surreply (ECF 30) should be  
5 stricken as a fugitive filing.

6 Dated: January 6, 2013

Respectfully submitted,

7 /s/Ronald D. Green

8 Ronald D. Green, NV Bar #7360

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11 **CERTIFICATE OF SERVICE**

12  
13 Pursuant to the Federal Rules of Civil Procedure 5(b), I hereby certify that the foregoing  
14 document was filed using this Court's CM/ECF system on January 6, 2013.

15 Dated: January 6, 2013

Respectfully Submitted,

16  
17 

18 Laura M. Tucker

19 Law Clerk

[ecf@randazza.com](mailto:ecf@randazza.com)

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21 6525 W. Warm Springs Rd., Suite 100

Las Vegas, NV 89118

22 (888) 667-1113

23 (305) 437-7662 fax