

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS

ANTHONY CANTU and	§	
RONALD LOREDO, on behalf	§	
of themselves and a class	§	
of those similarly situated	§	
	§	
Plaintiffs	§	
	§	
v.	§	No. SA-13-CA-731
	§	
MILBERGER LANDSCAPING, INC.	§	
	§	
Defendant	§	

ORDER STRIKING DEFENDANT’S RESPONSE

Before the Court is a response to the Plaintiff’s motion for conditional class certification under the Fair Labor Standards Act (Docket No. 17). The scheduling order in this case unequivocally limits all motions and responses to ten pages unless leave of court is obtained to file more than ten pages (Docket No. 12). Nonetheless, without requesting leave, the Defendant has filed a response that is roughly fifteen pages long, exclusive of the caption and signature page.

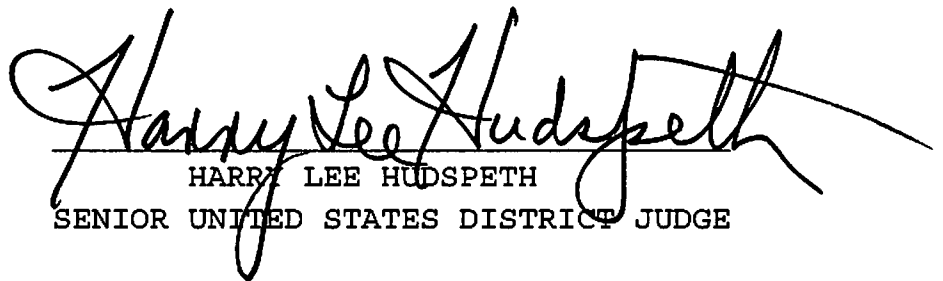
Roughly four pages of the response are devoted to the question presented, the Defendant’s summary of the argument, and the Defendant’s factual statements and objections. Counsel is reminded that all of these could be relegated to a separate appendix and not included in the response itself. Rule CV-7(d)(1). In the event that the Defendant cannot comply with the

Court's page limit, it may file a motion to obtain leave of court.

It is therefore ORDERED that Defendant's response (Docket No. 17) to the Plaintiff's motion for conditional class certification be, and it is hereby, STRICKEN from the record.

It is further ORDERED that Defendant file its response by November 20, 2013.

SIGNED AND ENTERED this 15th day of November, 2013.


HARRY LEE HUDSPETH
SENIOR UNITED STATES DISTRICT JUDGE