

UNITED STATES DISTRICT COURT  
DISTRICT OF MAINE

NANCY OTIS, )  
)  
Plaintiff )  
)  
v. ) Civil No. 98-0187-B  
)  
TOWN OF MADISON, et al., )  
)  
Defendants )

***ORDER ON PLAINTIFF’S MOTIONS FOR LEAVE  
TO FILE AMENDED STATEMENT OF GENUINE  
ISSUES OF MATERIAL FACT AND SURREPLY***

Plaintiff’s Motion for Leave to File Amended Statement of Genuine Issues of Material Fact is DENIED. Plaintiff represents that the amendment is intended only to conform her Statement of Fact to the requirements of the recent amendment to the Court’s local rule 56(c). The purpose of that amendment was to assist the Court in its analysis of summary judgment motions. Although that assistance will be appreciated in the future, in this case Defendants have already filed their Statement of Fact in Reply. There is no need to disrupt the proceedings at this stage, the Court being very familiar with statements of fact filed prior to the amendment. The Court will utilize Plaintiff’s Statement of Material Fact filed on June 10, 1999.

Similarly, the Court will not penalize Plaintiff for failing to admit or deny the facts offered by Defendants by specific reference to the paragraphs of Defendants’

Statement of Material Fact. D. Me. R. 56(c); *see* Def. Reply Stmt. of Mat. Facts at 1, n.1. The amendment instituting the requirement is very new, and in light of the volume of work generated by both parties in this matter, the Court is satisfied that justice requires reaching the merits of Plaintiff's claims.

Plaintiff's Motion for Leave to File Surreply is also DENIED. The Court understands counsel's natural desire to leave no stone unturned, but there is also a need for finality, reflected in this case in the Court's local rule 7.

***SO ORDERED.***

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Eugene W. Beaulieu  
U.S. Magistrate Judge

Dated on July 14, 1999.