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10 **IN THE UNITED STATES DISTRICT COURT**
11 **FOR THE DISTRICT OF ARIZONA**

12 Don ADDINGTON; *et al.*,

13 *Plaintiffs,*

14 vs.

15 US AIRLINE PILOTS ASS'N,

16 *Defendant.*

Case No. 2:08-CV-01633

**PLAINTIFFS' MOTION FOR LEAVE TO FILE
SUPPLEMENTAL BRIEFING ON THE ISSUE OF
STRICT COMPLIANCE WITH LOCAL RULES**

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18
19 Plaintiffs Don ADDINGTON; *et al.*, file this *Motion For Leave To File*
20 *Supplemental Briefing On The Issue Of Strict Compliance With Local Rules*. This
21 supplemental brief provides controlling authority for the proposition that the
22 district court has broad discretion in determining the requirements of its local
23 rules and that a failure to comply with the literal reading of such rules is not
24 subject to reversal if it does not cause prejudice. *See Gerritsen v. Consulado*
25 *General de Mexico*, 989 F.2d 340, 342 n.1 (9th Cir. 1993); *Guam Sasaki Corp.*
26 *v. Diana's Inc.*, 881 F.2d 713, 715 (9th Cir. 1989). The Court should grant leave
27 to file this brief because it addresses issues that may impact the Court's
28

1 decision on the motion to transfer case no. 10-cv- 01570. A copy of the
2 proposed supplemental briefing is attached hereto as an exhibit.

3 Dated this 12th day of October, 2010.

4 **POLSINELLI SHUGHART, PC**

5 By /s/ Andrew S. Jacob

6 Marty Harper

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14 **CERTIFICATE OF SERVICE**

15 I hereby certify that on this 12th day of October 2010, I
16 electronically transmitted the foregoing document to the U.S. District
17 Court Clerk's Office by using the ECF System for filing and transmittal.

18 By /s/ Andrew S. Jacob